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Security Council

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7 October 2015

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Letter dated 6 October 2015 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council

I have the honour to transmit the letter of Ivica Dačić, First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia (see annex).

I would be grateful if you would have the present letter and its annex distributed to all members of the Security Council and published as a document of the Council.

(*Signed*) Milan **Milanović**
Ambassador
Permanent Representative
of the Republic of Serbia to the United Nations

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Annex to the letter dated 6 October 2015 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council

I am writing to you on this occasion in your capacity as President of the Security Council in connection with a question of priority importance for the Republic of Serbia which gives us cause for serious concern. It relates to the request for admission of so-called Kosovo to the membership of the United Nations Educational, Scientific and Cultural Organization (UNESCO), a specialized agency within the system of the United Nations. This request is absolutely unacceptable for the Republic of Serbia, primarily because it has no legal basis.

In point of fact, under the still valid and legally binding Security Council resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo (United Nations Interim Administration Mission in Kosovo (UNMIK) regulation No. 2001/9), Kosovo and Metohija is the territory within the Republic of Serbia administered by the United Nations. Council resolution 1244 (1999) reaffirms "the sovereignty and territorial integrity of the Federal Republic of Yugoslavia [now the Republic of Serbia] and the other States of the region, as set out in the Helsinki Final Act and annex 2" of the resolution. The resolution decides that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other required elements in annex 2. Both annexes stipulate that full account is to be taken of "the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia [now the Republic of Serbia]". The resolution goes on to provide for the establishment of an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, now the Republic of Serbia.

In article 2, paragraph 2, of the Constitution of UNESCO, it is said that States not members of the United Nations may be admitted to membership of UNESCO, upon recommendation of the Executive Board, by the General Conference. As Kosovo cannot be considered a State, a subject of international law, since it is a territory which is not responsible for the conduct of its external relations, it is evident that the elementary conditions have not been fulfilled for considering any question related to Kosovo's admission to full-fledged membership of UNESCO. This has been recognized de facto by Priština itself as it attempted to ensure submission of the request through UNMIK, which was rejected by the United Nations Mission in view of its consistent compliance with Security Council resolution 1244 (1999).

As a specialized agency of the United Nations, UNESCO is obliged to comply with international law, in particular Security Council resolutions, under Chapter VII of the Charter of the United Nations, including Council resolution 1244 (1999). In that context, the consideration of the request for Kosovo's admission to UNESCO would present a violation of the legal rules created under the auspices of the United Nations, aimed at maintaining international peace and security, and run counter to Article 25 of the Charter in which it is said that "the Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter". As a consequence, it is clear that the consideration of this question within UNESCO would be a gross violation of Council resolution 1244 (1999) and create a dangerous precedent.

In the interest of improving the life of the people in the Province, the Government of the Republic of Serbia has demonstrated constructiveness and readiness to have all outstanding issues resolved within a dialogue conducted in Brussels with the facilitation of the European Union. The question of the status of the property of the Serbian Orthodox Church and the protection of the Serbian cultural heritage has not yet been put on the agenda of the dialogue in which mutually acceptable solutions for many complex questions have been found so far. In this sense, this question should not be an exception.

One of the basic conditions for admission to any international organization is also the capacity and will of a prospective member to fulfil membership obligations. There is no doubt that deliberate, systematic and vandalistic destruction of cultural and historical monuments of one's own citizens, dating as far back as the eleventh century, in order to remove the traces of the age-long existence of a people on a territory, is incompatible with the purposes of UNESCO. This is evinced also by the fact that four jewels of world heritage, the Decani Monastery, Patriarchate of Peć, Gračanica and the Church of St. Mary of Ljeviš, have been included in the UNESCO List of World Heritage in Danger. No word of condemnation of these shameful crimes, unworthy of the twenty-first century, or of the readiness to find and punish their perpetrators, has been heard from Priština until this very day.

As a responsible member of the international community and a United Nations Member State, the Republic of Serbia considers that all organizations within the system of the United Nations and the United Nations Member States should respect fully the sovereignty and territorial integrity of the Republic of Serbia in accordance with their obligations under international law, the Charter of the United Nations and Security Council resolution 1244 (1999). Resolutions of the Security Council, the supreme body in matters of international peace and security, must be fully complied with, for only in this way is it possible to maintain the existing system of international security based on the principles set out in the Charter of the United Nations, while international law can preserve its universal validity.

(*Signed*) Ivica **Dačić**

United Nations S/2015/764

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Twenty-second semi-annual report of the Secretary-General on the implementation of resolution 1559 (2004)

I. Background

1. The present report is the twenty-second semi-annual report on the implementation of Security Council resolution 1559 (2004). It provides a review and an assessment of the process of the implementation of the resolution since my previous report on the subject, which was issued on 16 April 2015 (S/2015/258). I note the continued lack of progress on key provisions of the resolution and highlight continued concerns about increasing pressure on the sovereignty, territorial integrity and political independence of Lebanon.

2. The position of President of Lebanon has been vacant for just over 16 months. Since the end of the previous President's mandate, the Parliament has been called into session to elect a president on 28 occasions. Owing to the boycott of the sessions by parliamentarians from the Free Patriotic Movement and Hizbullah, the Parliament has failed to elect a new president because the sessions have lacked a quorum, and the position has consequently remained vacant. The prolonged absence of a president has undermined the strength and effectiveness of the remaining State institutions, including the Cabinet and the Parliament, in responding to the needs of Lebanese citizens. My representatives and I have continued to call for the election of a president without delay, as I did in my remarks at the Ministerial Meeting of the International Support Group for Lebanon on 30 September.

3. The war in the Syrian Arab Republic continues to have a significant impact on Lebanon's security and stability. Fighting between Hizbullah and violent extremist groups, including the Al-Nusra Front and the Islamic State in Iraq and the Levant (ISIL), in the Syrian Arab Republic, including in the border area of Qalamoun and, most recently, in the town of Zabadani, presents further risks to the security and stability of Lebanon. The fighting has had a particular impact on the safety of local communities close to the border area, including through an increase in incidents of cross-border incursions, shelling and shooting during the reporting period.

4. The Lebanese Armed Forces have continued to respond to the challenges to Lebanon's sovereignty and territorial integrity. Support for the national armed forces from the international community has been ongoing during the reporting period, contributing to a strengthening of their ability to protect Lebanon from multiple security threats. Nonetheless, reports of the regular arrests of alleged terrorists, extremists or recruiters of terrorists, as well as reports of foiled terrorist

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plots, underline the persistent threat to stability and security that Lebanon continues to face.

5. Syrian refugees fleeing violence in their country continue to rely on protection in a number of countries, including Lebanon. As at 25 August, there were 1,112,064 Syrian refugees and 45,000 Palestinian refugees from the Syrian Arab Republic registered in Lebanon with the Office of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), respectively. Since 5 January, the criteria for entry into Lebanon has been revised to exclude asylum-related reasons, except in exceptional humanitarian cases. In early May, the Government of Lebanon asked the Office to suspend the registration of new refugees.

II. Implementation of resolution 1559 (2004)

6. Since the adoption of resolution 1559 (2004) on 2 September 2004, several of its provisions have been implemented, as I highlighted in my previous reports. The Syrian Arab Republic withdrew its troops and military assets from Lebanon in April 2005. Presidential and parliamentary elections were conducted freely and fairly in 2008 and 2009. Lebanon and the Syrian Arab Republic established full diplomatic relations in 2009.

7. During the reporting period, the Prime Minister continued to affirm Lebanon's respect for all United Nations resolutions. The conflict in the Syrian Arab Republic and its corresponding impact on Lebanon, however, continued to limit progress in the implementation of the outstanding provisions of resolution 1559 (2004) and other resolutions pertaining to Lebanon.

8. The delineation of the Syrian-Lebanese border, which was strongly encouraged by the Security Council in its resolution 1680 (2006), remains pending. Moreover, the existence and activities of Lebanese and non-Lebanese militias along the border continue to pose a threat to the stability of the country and the region. The national armed forces continue to deploy three regiments on the eastern border, maintaining a clear presence of State authority in that vulnerable area. It remains essential that the State achieve a full monopoly on the possession of weapons and the use of force throughout Lebanon. Continued support from the international community in that regard remains a priority.

9. My representatives and I remained in regular contact with all parties in Lebanon during the reporting period, as well as with relevant regional and international leaders. On 30 September, I convened a meeting of the International Support Group for Lebanon, in conjunction with Prime Minister Tammam Salam, in the margins of the seventieth session of the General Assembly. The Group called upon all Lebanese leaders to adhere to the Constitution of Lebanon, the Taif Accords and the National Pact and to put the country's interests ahead of partisan politics.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

10. With the adoption of resolution 1559 (2004), the Security Council aimed at strengthening the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout the country, in line with the Taif Accords of 1989, to which all the political parties in Lebanon had committed themselves. That objective has remained the highest priority of my efforts to facilitate the implementation of all resolutions pertaining to Lebanon.

11. I remain very concerned by the continued failure to elect a new president. Parliament has been called into session on 28 occasions since 24 May 2014, but has failed to convene to elect a new president because of the lack of a quorum, which has been caused by the boycott of the sessions by parliamentarians from the Free Patriotic Movement and Hizbullah. Boycotting sessions of Parliament undermines the credibility of Lebanon's democratic tradition and puts additional pressure on the State institutions that continue to operate. During the 16 months since the previous President left office, Lebanon has faced mounting security, economic and humanitarian challenges. I commend the leadership of Prime Minister Tammam Salam during these difficult times and note that political differences among some of Lebanon's leaders have hampered the ability of the Cabinet to function effectively and respond to the serious national and regional pressures facing the country. Citizens have been protesting since 20 August, demanding the delivery of basic public services and the accountability of the Government. Furthermore, in the absence of a session to elect a new president, Parliament has not been able to legislate even on urgent issues. The Speaker of Parliament, Nabih Berri, convened a meeting of Lebanon's political leaders on 9 September, to address the issue of electing a new president, but the session was suspended without results. I note the extension by the Minister of Defence, Samir Moqbel, on 6 August, of the mandates of the Commander of the Lebanese Armed Forces; the Chief of Staff of the Lebanese Armed Forces; and the Head of the Higher Defence Council.

12. Representatives of the Future Movement and Hizbullah have continued their dialogue sessions. On 25 August, the seventeenth dialogue session was held and, although no solutions to various political issues have emerged from the talks, the continuation of the dialogue has contributed to a reduction of tensions between various groups in the country.

13. In its resolution 1680 (2006), the Security Council strongly encouraged the Government of the Syrian Arab Republic to respond positively to the request of the Government of Lebanon to delineate their common border. I continue to call upon the Syrian Arab Republic and Lebanon to achieve the full delineation of their common border. Given the continuing conflict in the Syrian Arab Republic, however, progress has been even more difficult to achieve and no tangible steps were taken by either side in that regard during the reporting period.

14. The delineation and demarcation of the boundaries of Lebanon remain elements essential to guaranteeing national sovereignty and territorial integrity. They also remain critical to facilitating proper border control. The complex security situation along the Syrian-Lebanese border in the current circumstances, including continual reports of cross-border fighting and movements of arms and people,

further underlines the urgency of demarcating the border. While acknowledging the bilateral nature of border delineation, progress on the matter remains an obligation of the two countries, in accordance with Security Council resolutions 1680 (2006) and 1559 (2004).

15. Violations of Lebanese sovereignty and territorial integrity have continued on the eastern borders as a direct result of the conflict in the Syrian Arab Republic. During the reporting period, there has been an increase in the number of security incidents across the Lebanese-Syrian border and in Lebanese territory close to the border. There were reports of at least 96 cross-border shooting incidents, nine incidents of shelling, three rocket attacks from the Syrian side of the border and eight attempted incursions by militants. The Government of the Syrian Arab Republic has continued to conduct air raids in Lebanon, in violation of Lebanese sovereignty and territorial integrity.

16. Security personnel, including members of the national armed forces and internal security forces, who were kidnapped and taken hostage in August 2014 during an incursion of armed men belonging to the Al-Nusra Front and ISIL, have still not been released. Efforts to secure the release of the remaining hostages continue.

17. The continued occupation by Israel of the northern part of the village of Ghajar and an adjacent area north of the Blue Line stands in violation of the sovereignty of Lebanon and resolutions 1559 (2004) and 1701 (2006). My representatives and I continue to engage closely with both parties, with a view to facilitating the withdrawal of the Israel Defense Forces from the area, pursuant to resolution 1701 (2006).

18. There was no progress in relation to the issue of the Shab'a Farms area during the reporting period. Neither the Syrian Arab Republic nor Israel has yet responded with regard to the provisional definition of the area contained in my report on the implementation of resolution 1701 (2006), issued on 30 October 2007 (S/2007/641).

19. Unmanned aerial vehicles and fixed-wing aircraft, including fighter jets, of the Israel Defense Forces continued to make almost daily overflights of Lebanon during the reporting period, in violation of Lebanese sovereignty and resolutions 1559 (2004) and 1701 (2006). The Government of Lebanon has regularly and repeatedly protested against the violations. I have deplored them and demanded that they cease immediately.

B. Extension of control of the Government of Lebanon over all Lebanese territory

20. The Government of Lebanon has reiterated to the United Nations its intention to extend State authority over all Lebanese territory, as called for in the Taif Accords and in resolution 1559 (2004). The national armed forces and internal security forces have played a crucial role in implementing that commitment under difficult circumstances, and the ability of the Lebanese State to fully exercise its authority over all its territory continues to be challenged.

21. I remain concerned at the involvement of Lebanese fighters in the conflict in the Syrian Arab Republic, including members of Hizbullah. Hizbullah has continued to publicly acknowledge its participation in the fighting in the Syrian Arab

Republic, contrary to its commitment to the Baabda Declaration and Lebanon's policy of disassociation. Funerals of its members killed in the fighting in the Syrian Arab Republic have continued to be held in Lebanon. Other Lebanese nationals have participated in the fighting across the border in the Syrian Arab Republic, alongside Syrian opposition forces, the Al-Nusra Front and ISIL. There have been reports of those militants being killed during the fighting in the Syrian Arab Republic. The involvement of Hizbullah and other Lebanese elements in the fighting in the Syrian Arab Republic seriously jeopardizes the stability and security of Lebanon. Reports of Hizbullah involvement in conflict elsewhere in the region, including allegedly in Iraq and Yemen, is worrisome and could risk further endangering stability and security in Lebanon.

22. Owing to the efforts of the national armed forces and security agencies, and the increased cooperation between them, there has been an overall decrease in the number of terrorist incidents in the country. The national armed forces have deployed border regiments on the northern and eastern borders of the country. The deployment has repelled attempted incursions of armed fighters into Lebanese territory. Those and other incidents have led to the targeting of national armed forces personnel, causing injuries in some instances. On 20 May, a vehicle-borne improvised explosive device detonated close to a checkpoint of the national armed forces on the outskirts of Aarsal. In a separate incident targeting the national armed forces in Tripoli, on 27 July, a bomb exploded next to an officer's vehicle, causing material damage.

23. Consistent and regular international support of the national armed forces remains a priority. I encourage bilateral partners and donors to continue their support to areas in which the national armed forces are most critically in need in order to give them the necessary operational advantage to effectively address security threats, including for counter-terrorism and comprehensive deployment along the country's borders. I welcome the continued assistance provided by several Member States aimed at further strengthening the capabilities of the national armed forces.

24. In view of the continuing cross-border incidents and the reports of arms smuggling, there remains an urgent need to improve the management and control of Lebanon's land borders. Tackling that challenge is also necessary in order to prevent armed groups and militias in Lebanon from expanding their arsenals of weapons, given that such expansion outside State control constitutes a threat to national and regional peace.

25. In my most recent report on the implementation of Security Council resolution 1701 (2006) (S/2015/475), I referred to a letter dated 27 May from the Permanent Representative of Israel addressed to me regarding actions by Hizbullah in southern Lebanon (S/2015/382). I also referred to a letter dated 10 June from the Permanent Representative of Lebanon addressed to me, in which he recalled his country's letters of complaint about Israel's "ongoing violations" of resolution 1701 (2006) and of Lebanese sovereignty (S/2015/428).

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

26. In its resolution 1559 (2004), the Security Council called for the disarming and disbanding of all Lebanese and non-Lebanese militias, a key provision of the

resolution that has not yet been implemented. It reflects and reaffirms a decision to which all Lebanese committed themselves in the Taif Accords, which led at the time to Lebanese militias, with the exception of Hizbullah, relinquishing their weapons. Given the current national context and the impact of the Syrian crisis on Lebanon, it is critical that the Accords be preserved and implemented by all, in order to avoid the spectre of a renewed confrontation among the Lebanese and to strengthen the institutions of the State.

27. Lebanese and non-Lebanese militias within the country continue to operate outside the control of the Government, in serious violation of resolution 1559 (2004). Whereas several groups across the political spectrum in Lebanon possess weapons outside government control, the armed component of Hizbullah is the most significant and most heavily armed Lebanese militia in the country. On 24 May, the Secretary-General of Hizbullah, Hassan Nasrallah, stated that Hizbullah possessed the highest military capability since the organization's creation. The maintenance of arms by Hizbullah and other groups poses a serious challenge to the State's ability to exercise full sovereignty and authority over its territory. In addition, several Palestinian armed groups continue to operate in the country inside and outside the refugee camps.

28. There has been no tangible progress towards the disbanding and disarming of Lebanese and non-Lebanese militias, as called for in the Taif Accords and resolution 1559 (2004). Since the adoption of the resolution, no specific steps have been taken to tackle that crucial issue, which lies at the heart of the sovereignty and political independence of Lebanon. Several Lebanese groups and individuals continue to speak up against the maintenance by Hizbullah of a military arsenal, which they consider to be a destabilizing factor in the country and a factor that undermines democracy. Many Lebanese see the continued existence of such arms as an implicit threat for use within Lebanon for political reasons.

29. I have repeatedly expressed my deep concern to Lebanese leaders about the serious risks that armed groups pose to the stability of the country and the region. I have urged them to tackle the matter without further delay, given that it is their obligation under Security Council resolution 1559 (2004). It is a fundamental anomaly in a democratic State for a political party to maintain its own militia. Nonetheless, Hizbullah has continued to openly claim that its military capacity is separate from that of the Lebanese State and that its arms serve as a deterrent against potential aggression from Israel.

30. The presence of other armed extremist militants in various parts of the country is also deeply worrisome. Coordination between the national armed forces and other State security forces has led to the arrest of a number of suspected terrorists and the discovery and thwarting of several terrorist plots in the country. On 15 August, Ahmad al-Assir, a militant formerly based in Sidon and wanted by the authorities over his involvement in the attacks against the Lebanese army in June 2013, was arrested at Rafiq Hariri International Airport. His trial, along with those of other detainees of the Sidon clashes, is ongoing.

31. It is in the national interest of Lebanon to ensure that those behind the perpetration of terrorist acts, including political assassinations, are held accountable and that violence is not committed with impunity. I note the 13 May decision of a Lebanese military court sentencing former Minister, Michel Samaha, to imprisonment for his part in a plot to foment sectarian violence in Lebanon. I also

note the continued work of the Special Tribunal for Lebanon, which sends a clear message that impunity will not be tolerated.

32. The issue of the disarmament of armed groups has been discussed previously in the context of the national dialogue. There have been no sessions of the national dialogue during the reporting period and no other formal discussion among Lebanese parties of the disarmament of armed groups. The issue has not been included in the dialogue between members of the Future Movement and Hizbullah, nor in the dialogue session convened by the Speaker of Parliament, Nabih Berri.

33. The security situation in the Palestinian refugee camps was relatively calm, with the exception of Ein el-Hillweh camp, where two people were killed on 18 June when fighting broke out between two groups. On 23 July, a Palestinian was shot and killed in the camp, followed three days later by the assassination of a prominent member of the Palestinian joint security force in the camp, Talal al Ordoni. From 22 to 27 August, intermittent but heavy clashes between various factions broke out in Ein el-Hillweh camp, leading to at least six deaths and many injuries. Within that context, I note the relative calm in other Palestinian refugee camps in Lebanon and welcome the continued commitment of Palestinian leaders to disassociate the Palestinian camps in Lebanon from the violence in the Syrian Arab Republic and the region more broadly.

34. The presence of Palestinian armed groups outside the camps continues to challenge the ability of Lebanon to exercise full sovereignty over its territory. I am concerned by reports of an explosion that caused material damage at a base belonging to the Popular Front for the Liberation of Palestine-General Command, close to the Lebanese-Syrian border, on 29 July. The presence of that base and other such bases in Lebanon undermines Lebanese sovereignty and governmental authority and makes delineation of the border more difficult. It poses a serious challenge to the effective control of the eastern border between Lebanon and the Syrian Arab Republic. Whereas the details of the explosion cannot be verified by the United Nations, the incident serves as a worrisome reminder that, notwithstanding the decision taken in 2006 by the national dialogue and confirmed in subsequent sessions, no progress was made during the reporting period with regard to dismantling the military bases of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada in the country. I have reiterated my calls upon the Lebanese authorities for the implementation of earlier decisions of the national dialogue, specifically those relating to the dismantling of the above-mentioned military bases, and upon the Government of the Syrian Arab Republic to cooperate with those efforts in good faith.

35. Humanitarian conditions for Palestinian refugees in Lebanon are increasingly dire, with the influx of 45,000 refugees from the Syrian Arab Republic since the beginning of the crisis placing tremendous additional pressure on the overall situation in the camps and gatherings and on the efforts of UNRWA to assist them. UNRWA has taken measures to reduce the tension between the Palestinian refugees who have been residing in Lebanon and those arriving from the Syrian Arab Republic by, for example, including refugee children in regular classes in UNRWA schools. The United Nations has continued to urge the Lebanese authorities to improve the living conditions of the refugees. Those efforts should be done without prejudice to the eventual resolution of the Palestinian refugee question in the context of a comprehensive peace agreement in the region.

III. Observations

36. I continue to be disappointed at the lack of further tangible progress made towards the implementation of the remaining provisions of resolution 1559 (2004). Lebanon continues to face challenges to its stability and security, both internally and along its borders with the Syrian Arab Republic, including from terrorist and extremist groups and arms smuggling. It is important that progress continues to be made on the implementation of resolution 1559 (2004) in order to maintain the achievements already made and to prevent a further deterioration in the stability and security of Lebanon. I reiterate my firm conviction that it is in the best interest of Lebanon and the Lebanese to make progress towards the full implementation of resolution 1559 (2004) for the long-term stability of the country and the region.

37. I am increasingly concerned at the impact of the continued vacuum in the position of President on the effective functioning of State institutions, including the Cabinet. I highly commend the efforts of Prime Minister Tammam Salam in leading Lebanon under such difficult circumstances and promoting effective decision-making in the interest of the country. It is vital that Lebanon's leaders unite, put aside their partisan and political differences in order to effectively tackle the mounting security, economic and humanitarian challenges that the country faces. I note the continuing protests by citizens, making rightful demands for basic public services and the effective functioning of the Government. Lebanon cannot afford to delay the election of a new president any longer. I call upon members of Parliament to perform their duties responsibly, including by attending the sessions of the Parliament called to elect a new president.

38. I have repeatedly cautioned that the widespread proliferation of weapons outside the control of the State, combined with the existence of heavily armed militias, undermines the security of Lebanese citizens. The maintenance by Hizbullah of sizeable and sophisticated military capabilities outside the control of the Government of Lebanon remains a matter of grave concern, in particular because it creates an atmosphere of intimidation and represents a key challenge to the safety of Lebanese civilians and to the Government monopoly on the legitimate use of force. I reiterate my call upon Hizbullah and all other parties concerned not to engage in any militant activity inside or outside Lebanon, consistent with the requirements of the Taif Accords and resolution 1559 (2004).

39. I condemn the continued violation of the sovereignty of Lebanon, including cross-border incidents in which civilians and members of the national armed forces have been injured on the Lebanese side of the border because of the actions of warring parties in the Syrian Arab Republic. The cross-border shelling and rocket attacks by various groups in the Syrian Arab Republic and the air raids by the Syrian air force on Lebanese territory must cease. Those incidents are a clear violation of Lebanese sovereignty. I reiterate my call upon all parties, including the Government of the Syrian Arab Republic, to respect the sovereignty and territorial integrity of Lebanon, in accordance with Security Council resolution 1559 (2004).

40. The participation of Lebanese citizens in the conflict in the Syrian Arab Republic is a breach of the policy of disassociation and the principles of the Baabda Declaration, which was agreed upon by all Lebanese parties in June 2012. The involvement of Hizbullah and other Lebanese elements in the fighting in the Syrian Arab Republic seriously jeopardizes the security and stability of Lebanon. I am

concerned by reports of the involvement of Hizbullah and other Lebanese elements in fighting elsewhere in the region, including in Iraq and Yemen. Participating in conflict elsewhere risks exposing Lebanon to even greater security threats.

41. I strongly commend the diligent and consistent efforts of the national armed forces in protecting Lebanon's borders, as well as its security and stability. The continued deployment of the national armed forces in the eastern border areas has been essential in repelling repeated attempts by violent, extremist groups, including the Al-Nusra Front and ISIL, to infiltrate Lebanese territory. The impact of the deployment of those border regiments continues to be felt positively throughout the country, especially in the communities located close to the border that are most vulnerable to attacks from extremist groups. It is important to maintain Lebanese political unity in support of the national armed forces as the sole legitimate State institution responsible for defending Lebanon's sovereignty and territorial integrity. In that context, I note the extension by the Minister of Defence, Samir Moqbel, on 6 August, of the mandates of the Commander of the Lebanese Armed Forces; the Chief of Staff of the Lebanese Armed Forces; and the Head of the Higher Defence Council. I condemn the continued detention of Lebanese soldiers and security forces personnel held captive by the Al-Nusra Front and ISIL in the eastern Lebanese-Syrian border area. I call upon those holding the remaining security personnel hostage to release them without further delay.

42. I welcome the ongoing cooperation between the various State security agencies and the national armed forces, which has led to further progress in countering terrorism in the country. The collaboration between the various State security services has led to the detainment of an increased number of extremists, who are currently awaiting trial, and a number of terrorist plots have been uncovered and foiled. During the reporting period, the contributions of the internal security forces and the General Directorate of General Security have been significant to preserving Lebanon's security and stability. Broad political support for the various security operations, including subsequent judicial processes, also sends an important message that violence with impunity will not be tolerated.

43. I urge the Government and the national armed forces to take all measures necessary to prohibit Hizbullah and other armed groups from acquiring weapons and building paramilitary capacity outside the authority of the State, in violation of resolution 1559 (2004). The absence of the national dialogue, another casualty of the failure to elect a new president, means that no progress has been made in that regard. I note that decisions taken at earlier sessions of the national dialogue have still not been implemented. I remain convinced that dialogue is the only way forward and note that the discussion paper on a comprehensive national defence strategy, developed in the context of the national dialogue, remains a valuable starting point. I call upon countries in the region that maintain close ties with Hizbullah to encourage the transformation of the armed group into a solely political party and its disarmament, in accordance with the requirements of the Taif Accords and resolution 1559 (2004), which is in the best interests of Lebanon and regional peace and security.

44. I welcome the continued support provided by the international community to the national armed forces and the security forces to build up their capabilities to address the multiple security challenges that the country faces. I encourage donors to continue that support so that the national armed forces and the security forces can

ensure their operational superiority in defence of Lebanon's sovereignty, security and stability. I note that both the Security Council and the International Support Group for Lebanon have been consistently unanimous in their support of the national armed forces.

45. The situation of Palestinian refugees in Lebanon and the limited resources available to UNRWA to assist them remains of concern, particularly in the light of the continued presence of Palestinian refugees from the Syrian Arab Republic who have fled the violence there. I call upon donors to increase their support to UNRWA and its vital work in providing services to Palestinian refugees in Lebanon. I note the work of the Palestinian joint security force in preventing an even graver escalation of conflict on several occasions in the Ein el-Hillweh camp and welcome the renewed commitment of Palestinian leaders to disassociate the Palestinian camps in Lebanon from the violence in the Syrian Arab Republic and the region more broadly.

46. I regret the absence of any progress on the delineation and demarcation of the border with the Syrian Arab Republic, which has a significant impact on border control. Integrated border management will, in the longer term, contribute significantly to better control of the borders of Lebanon and help to prevent the illegal transfer of weapons and fighters in both directions, which has become even more pressing in the context of events in the Syrian Arab Republic.

47. The continued violations committed by Israel in respect of the sovereignty and territorial integrity of Lebanon, including the overflights of Lebanese territory by Israeli military aircraft, are deplorable. I reiterate my call upon Israel to adhere to its obligations under relevant Security Council resolutions and to withdraw its forces from the northern part of the village of Ghajar and an adjacent area north of the Blue Line, as well as to cease its overflights of Lebanese airspace, which undermine the credibility of the Lebanese security services and generate anxiety among the civilian population. Incidents along the Blue Line, as detailed in previous reports on the implementation of resolution 1701 (2006), underscore the importance of ensuring that the situation along the entirety of the Blue Line remains stable, including in the Shab'a Farms area. I welcome the resumption of calm and the recommitment by both Lebanon and Israel to the cessation of hostilities and call upon all sides to avoid any provocative rhetoric. Full implementation of all provisions of relevant resolutions remains the best prevention against the risk of miscalculation or tensions.

48. Recent security developments, especially in the eastern border region, have put even greater pressure on the refugees, the host communities that receive them and the country, necessitating further support from the international community. Syrian refugees must continue to be protected against forcible return. I commend the Lebanese authorities for working closely with the United Nations in their efforts to support the Government in assisting and protecting refugees in accordance with human rights and humanitarian principles. The Syrian crisis constitutes not only a major humanitarian and socioeconomic challenge for Lebanon but a challenge to the country's stability and must be addressed as such. I strongly encourage Member States, including regional donors, to fulfil their burden-sharing responsibilities by contributing generously through the crisis response plan and the other mechanisms addressed at the Kuwait donor conference held on 31 March 2015.

49. It is important to maintain Lebanon's security, stability and unity in the context of a fragile domestic and regional climate. I remain firmly committed to the implementation of resolution 1559 (2004). I therefore count on the continued commitment of the Government to its international obligations and call upon all parties and actors to fully abide by resolutions 1559 (2004), 1680 (2006) and 1701 (2006). I also call upon Member States to renew efforts to support Lebanon in ensuring respect for its obligations under those resolutions as the best way to advance the country's long-term prosperity and stability as a democratic State. I will continue my efforts towards the full implementation of those and all other resolutions pertaining to Lebanon.

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Security Council
Seventieth year

Letter dated 5 October 2015 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 5 October 2015, addressed to you by Mehmet Dânâ, representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Y. Halit **Çevik**
Permanent Representative

15-17414 (E) 201015

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Annex to the letter dated 5 October 2015 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letters dated 26 August 2015 and 11 September 2015 addressed to you by the Greek Cypriot representative in New York and circulated as documents of the General Assembly and of the Security Council (A/69/1016-S/2015/665 and A/69/1029-S/2015/701), which, yet again, contain false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As to the false assertion regarding the "illegally issued notices to airmen", it must be underlined that activities within the Ercan Advisory Airspace, including issuance of notices to airmen, are carried out by and in cooperation with the relevant authorities of the State in accordance with article 3 of the Chicago Convention on International Civil Aviation.

Similarly, the claim in the letters regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan Area Control Centre and Airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Turkish Republic of Northern Cyprus Civil Aviation Department, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control.

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using the airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan Area

Control Centre is in regular and close cooperation with the Ankara Area Control Centre in order to ensure the safe conduct of all flights in the region. In 2014 alone, the number of passengers who used Ercan Airport stood at almost 3,250,000, while the projected number of passengers for 2015 is 3,500,000. Moreover, in 2014, around 25,000 planes used Ercan Airport for arrival and departure, and around 200,000 planes used the Ercan Advisory Airspace. These numbers are expected to be at around 27,000 and 210,000, respectively, for 2015. In that respect, it must be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety, in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

At a time when the comprehensive settlement negotiations are progressing swiftly in a results-oriented atmosphere, I deem it necessary to stress the need to fully channel all our efforts towards achieving a just and lasting settlement of the Cyprus conflict in line with the established United Nations parameters and the joint declaration of 11 February 2014, which envisage a new partnership on the basis of the political equality of the two peoples of the island within the framework of a bizonal, bicommunal federation with two constituent States of equal status. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is and has always been the Turkish Cypriot side, not Turkey.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric, which is not reflective of the joint vision and cooperation expressed by the leaders of both communities on the island since the resumption of the settlement talks in May 2015. As the two future partners in the island of Cyprus, we should never lose sight of the fact that the solution to the Cyprus problem will comprehensively deal with all pending issues between the two sides and thus focus all our efforts towards the ultimate goal of settlement.

Finally, I would like to reiterate that, as the Turkish Cypriot side, we are committed to maintaining our constructive and positive stance within the context of your good offices mission in Cyprus and encourage our Greek Cypriot neighbours to follow a similar path.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2015/766

Security Council

Distr.: General
7 October 2015

Original: English

Letter dated 5 October 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), established by Security Council resolution 1925 (2010) as at 1 July 2010 and most recently extended by resolution 2211 (2015) of 26 March 2015.

Following the usual consultations, I would like to inform you of my intention to appoint Maman Sambo Sidikou (Niger) as my Special Representative for the Democratic Republic of the Congo and Head of MONUSCO. He replaces Martin Kobler (Germany), who will complete his assignment on 31 October 2015. I would like to take this opportunity to express my gratitude to Mr. Kobler for his dedication and leadership of MONUSCO.

I should be grateful if you could bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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United Nations S/2015/767

Security Council

Distr.: General
7 October 2015

Original: English

Letter dated 7 October 2015 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 5 October 2015 (S/2015/766) concerning your intention to appoint Maman Sambo Sidikou (Niger) as your Special Representative for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Román **Oyarzun Marchesi**
President of the Security Council

15-17323 (E) 081015

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United Nations S/2015/768

Security Council

Distr.: General
9 October 2015

Original: English

Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Thailand and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its press statement of 21 April on the maritime tragedy in the Mediterranean Sea,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the ocean,

Reaffirming also the United Nations Convention against Transnational Organized Crime (UNTOC Convention) and its Protocol against the Smuggling of Migrants by Land, Air and Sea, as the primary international legal instruments to combat the smuggling of migrants and related conduct, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UNTOC Convention, as the primary international legal instruments to combat trafficking in persons,

Underlining that, although the crime of smuggling of migrants may share, in some cases, some common features with the crime of trafficking in persons, Member States need to recognise that they are distinct crimes, as defined by the UNTOC Convention and its Protocols, requiring differing legal, operational, and policy responses,

Deploring the continuing maritime tragedies in the Mediterranean Sea that have resulted in hundreds of casualties, and *noting with concern* that such casualties were, in some cases, the result of exploitation and misinformation by transnational criminal organisations which facilitated the illegal smuggling of migrants via dangerous methods for personal gain and with callous disregard for human life,

Expressing grave concern at the recent proliferation of, and endangerment of lives by, the smuggling of migrants in the Mediterranean Sea, in particular off the

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coast of Libya and *recognizing* that among these migrants may be persons who meet the definition of a refugee under the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto,

Emphasizing in this respect that migrants, including asylum-seekers and regardless of their migration status, should be treated with humanity and dignity and that their rights should be fully respected, and *urging* all States in this regard to comply with their obligations under international law, including international human rights law and international refugee law, as applicable, *stressing also* the obligation of States, where applicable, to protect the human rights of migrants regardless of their migration status, including when implementing their specific migration and border security policies,

Reaffirming in this respect the need to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability,

Further recalling the International Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue,

Expressing further concern that the situation in Libya is exacerbated by the smuggling of migrants and human trafficking into, through and from the Libyan territory, which could provide support to other organised crime and terrorist networks in Libya,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Underlining the primary responsibility of the Libyan Government to take appropriate action to prevent the recent proliferation of, and endangerment of lives by, the smuggling of migrants and human trafficking through the territory of Libya and its territorial sea,

Mindful of the need to support further efforts to strengthen Libyan border management, *considering* the difficulties of the Libyan Government to manage effectively the migratory flows in transit through Libyan territory, and *noting* its concern for the repercussions of this phenomenon on the stability of Libya and of the Mediterranean region,

Welcoming support already provided by the most concerned Member States, including Member States of the European Union (EU), taking into account inter alia the role of FRONTEX and the specific mandate of EUBAM Libya in support of the Libyan Government, and by neighbouring States,

Acknowledging the European Council statement of 23 April 2015 and the press statement of the African Union Peace and Security Council of 27 April, which underlined the need for effective international action to address both the immediate and long-term aspects of human trafficking towards Europe,

Taking note of the Decision of the Council of the European Union of 18 May 2015 setting up 'EUNAVFOR Med' which underlined the need for effective international action to address both the immediate and long-term aspects of migrant smuggling and human trafficking towards Europe,

Taking further note of the ongoing discussions between the EU and the Libyan Government on migration related issues,

Expressing also strong support to the States in the region affected by the smuggling of migrants and human trafficking, and *emphasizing* the need to step up coordination of efforts in order to strengthen an effective multidimensional response to these common challenges in the spirit of international solidarity and shared responsibility, to tackle their root causes and to prevent people from being exploited by migrant smugglers and human traffickers,

Acknowledging the need to assist States in the region, upon request, in the development of comprehensive and integrated regional and national strategies, legal frameworks, and institutions to counter terrorism, transnational organised crime, migrant smuggling, and human trafficking, including mechanisms to implement them within the framework of States' obligations under applicable international law,

Stressing that addressing both migrant smuggling and human trafficking, including dismantling smuggling and trafficking networks in the region and prosecuting migrant smugglers, and human traffickers requires a coordinated, multidimensional approach with States of origin, of transit, and of destination, and further *acknowledging* the need to develop effective strategies to deter migrant smuggling and human trafficking in States of origin and transit,

Emphasizing that migrants should be treated with humanity and dignity and that their rights should be fully respected, and *urging* all States in this regard to comply with their obligations under international law, including international human rights law and international refugee law, as applicable,

Bearing in mind the obligations of States under applicable international law to exercise due diligence to prevent and combat migrant smuggling and human trafficking, to investigate and punish perpetrators, to identify and provide effective assistance to victims of trafficking and migrants and to cooperate to the fullest extent possible to prevent and suppress migrant smuggling and human trafficking,

Affirming the necessity to put an end to the recent proliferation of, and endangerment of lives by, the smuggling of migrants and trafficking of persons in the Mediterranean Sea off the coast of Libya, and, for these specific purposes, acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* all acts of migrant smuggling and human trafficking into, through and from the Libyan territory and off the coast of Libya, which undermine further the process of stabilisation of Libya and endanger the lives of thousands of people;

2. *Calls on* Member States acting nationally or through regional organisations, including the EU, to assist Libya, upon request, in building needed capacity including to secure its borders and to prevent, investigate and prosecute acts of smuggling of migrants and human trafficking through its territory and in its territorial sea; in order to prevent the further proliferation of, and endangerment of

lives by, the smuggling of migrants and human trafficking into, through and from the territory of Libya and off its coast;

3. *Urges* Member States and regional organisations, in the spirit of international solidarity and shared responsibility, to cooperate with the Libyan Government, and with each other, including by sharing information about acts of migrant smuggling and human trafficking in Libya's territorial sea and on the high seas off the coast of Libya, and rendering assistance to migrants and victims of human trafficking recovered at sea, in accordance with international law;

4. *Urges* States and regional organisations whose naval vessels and aircraft operate on the high seas and airspace off the coast of Libya, to be vigilant for acts of migrant smuggling and human trafficking, and in this context, *encourages* States and regional organisations to increase and coordinate their efforts to deter acts of migrant smuggling and human trafficking, in cooperation with Libya;

5. *Calls upon* Member States acting nationally or through regional organisations that are engaged in the fight against migrant smuggling and human trafficking to inspect, as permitted under international law, on the high seas off the coast of Libya, any unflagged vessels that they have reasonable grounds to believe have been, are being, or imminently will be used by organised criminal enterprises for migrant smuggling or human trafficking from Libya, including inflatable boats, rafts and dinghies;

6. *Further calls upon* such Member States to inspect, with the consent of the flag State, on the high seas off the coast of Libya, vessels that they have reasonable grounds to believe have been, are being, or imminently will be used by organised criminal enterprises for migrant smuggling or human trafficking from Libya;

7. *Decides*, with a view to saving the threatened lives of migrants or of victims of human trafficking on board such vessels as mentioned above, to authorise, in these exceptional and specific circumstances, for a period of one year from the date of the adoption of this resolution, Member States, acting nationally or through regional organisations that are engaged in the fight against migrant smuggling and human trafficking, to inspect on the high seas off the coast of Libya vessels that they have reasonable grounds to suspect are being used for migrant smuggling or human trafficking from Libya, provided that such Member States and regional organisations make good faith efforts to obtain the consent of the vessel's flag State prior to using the authority outlined in this paragraph;

8. *Decides* to authorise for a period of one year from the date of the adoption of this resolution, Member States acting nationally or through regional organisations to seize vessels inspected under the authority of paragraph 7 that are confirmed as being used for migrant smuggling or human trafficking from Libya, and *underscores* that further action with regard to such vessels inspected under the authority of paragraph 7, including disposal, will be taken in accordance with applicable international law with due consideration of the interests of any third parties who have acted in good faith;

9. *Calls upon* all flag States involved to cooperate with respect to efforts under paragraphs 7 and 8, and *decides* that Member States acting nationally or through regional organisations under the authority of those paragraphs shall keep flag States informed of actions taken with respect to their vessels, and *calls upon*

flag States that receive such requests to review and respond to them in a rapid and timely manner;

10. *Decides* to authorise Member States acting nationally or through regional organisations to use all measures commensurate to the specific circumstances in confronting migrant smugglers or human traffickers in carrying out activities under paragraphs 7 and 8 and in full compliance with international human rights law, as applicable, *underscores* that the authorizations in paragraph 7 and 8 do not apply with respect to vessels entitled to sovereign immunity under international law, and *calls upon* Member States and regional organisations carrying out activities under paragraphs 7, 8 and this paragraph, to provide for the safety of persons on board as an utmost priority and to avoid causing harm to the marine environment or to the safety of navigation;

11. *Affirms* that the authorisations provided in paragraphs 7 and 8 apply only with respect to the situation of migrant smuggling and human trafficking on the high seas off the coast of Libya and shall not affect the rights or obligations or responsibilities of Member States under international law, including any rights or obligations under UNCLOS, including the general principle of exclusive jurisdiction of a flag State over its vessels on the high seas, with respect to any other situation, and *further affirms* that the authorisation provided in paragraph 10 applies only in confronting migrant smugglers and human traffickers on the high seas off the coast of Libya;

12. *Underscores* that this resolution is intended to disrupt the organised criminal enterprises engaged in migrant smuggling and human trafficking and prevent loss of life and is not intended to undermine the human rights of individuals or prevent them from seeking protection under international human rights law and international refugee law;

13. *Emphasises* that all migrants, including asylum-seekers, should be treated with humanity and dignity and that their rights should be fully respected, and urges all States in this regard to comply with their obligations under international law, including international human rights law and international refugee law, as applicable;

14. *Urges* Member States and regional organisations acting under the authority of this resolution to have due regard for the livelihoods of those engaged in fishing or other legitimate activities;

15. *Calls upon* all States, with relevant jurisdiction under international law and national legislation, to investigate and prosecute persons responsible for acts of migrant smuggling and human trafficking at sea, consistent with States' obligations under international law, including international human rights law and international refugee law, as applicable;

16. *Calls* for Member States to consider ratifying or acceding to, and for States Parties to effectively implement the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

17. *Requests* States utilising the authority of this resolution to inform the Security Council within three months of the date of adoption of this resolution and

every three months thereafter on the progress of actions undertaken in exercise of the authority provided in paragraphs 7 to 10 above;

18. *Requests* the Secretary-General to report to the Security Council eleven months after the adoption of this resolution on its implementation, in particular with regards to the implementation of paragraphs 7 to 10 above;

19. *Expresses* its intention to review the situation and consider, as appropriate, renewing the authority provided in this resolution for additional periods;

20. *Decides* to remain seized of the matter.

United Nations A/ES-10/693–S/2015/769

General Assembly
Security Council

Distr.: General
8 October 2015

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 7 October 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Although I submitted a letter to you only two days ago, the intensifying aggression by Israel, the occupying Power, against the Palestinian people in the Occupied State of Palestine, including East Jerusalem, compels me to submit a follow-up letter today. The Palestinian leadership appeals to the international community, particularly the Security Council, to act immediately to halt all Israeli violations of international law, including humanitarian law and human rights law, against the unprotected, defenceless Palestinian civilian population. Below is a summary of those violations from just the past 24 hours.

The Palestine Red Crescent Society is reporting that more than 130 Palestinians, including children, have been injured by Israeli occupying forces, with at least 50 injured by live ammunition, bringing the total number of Palestinians injured to 630 since Saturday, 3 October 2015, as the occupying forces continue their raids on Palestinian areas and attacks on civilians. A large number of the injured are in critical condition, with many who are undergoing lifesaving operations, including at least two Palestinians who were shot in the head with rubber bullets. Since Friday, 2 October 2015, Israeli occupying forces have also carried out 27 attacks on Red Crescent emergency relief teams, leaving 17 staff members injured and 10 ambulances damaged.

Israel's extremist settlers and religious zealots also continue their reign of terror against the Palestinian civilian population with complete impunity. Since our previous letter, extremist settlers have injured at least two Palestinians, including Osama Abu Qubita, aged 10, whose home they attacked in the south of Al-Khalil. Osama had to be transferred to a hospital for treatment as a result of an injury to his head. Also, today, a Palestinian girl, Shurouq Dwayyat, aged 18, was seriously injured when she was shot by an Israeli settler in the Old City of Jerusalem. Extremist settlers also intercepted the convoy of the Prime Minister of the State of

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Palestine, Rami Hamdallah, and shouted racist slogans while calling for the death of Palestinians.

In addition, Israel continues its campaign of repression and collective punishment against the Palestinian people under its occupation. Yesterday, 6 October, Israeli occupying forces demolished the homes of two Palestinian families and poured concrete into another Palestinian home just hours after the Prime Minister of Israel called for a "new process" to expedite home demolitions in a cabinet meeting and promised a "strong hand" against Palestinians and broader use of administrative detention. Moreover, a statement released by the Israeli Prime Minister's office on 5 October 2015 said that additional Israeli occupying forces had been deployed and were "going deeply into the Arab neighbourhoods, which has not been done in the past". The occupying Power also continued to illegally enforce a 48-hour ban on Palestinians from entering the Old City in Occupied East Jerusalem and worshipping at Christian and Muslim holy sites, including Al-Aqsa Mosque. Meanwhile, Israelis, including extremist and violent settlers, as well as tourists, continue to be permitted to enter the Old City and holy sites, including Al-Aqsa Mosque, with the protection and backing of the Israeli Government.

We call for urgent international attention to compel Israel to halt its illegal policies and practices, to ensure immediate protection for the defenceless Palestinian civilian population and to prevent the situation from spiralling further out of control. The international community, in particular the Security Council, must call on Israel to end all of its violations against the Palestinian people. It should be stated that it is the occupying Power, not the defenceless Palestinian people under its foreign occupation, that is exacerbating tensions and despair with its illegal policies and punitive measures and that has the power to de-escalate the explosive situation on the ground throughout the Occupied State of Palestine, including in East Jerusalem.

Despite this fact, instead of de-escalating the situation, Israel has chosen to escalate the situation and provoke and incite the Palestinian people by injuring, killing and arresting more Palestinian civilians as well as demolishing homes belonging to Palestinian families in blatant acts of collective punishment. The Security Council must take real action to defuse the situation on the ground and must call on Israel, the occupying Power, to withdraw its forces from the Occupied Palestinian Territory, including East Jerusalem, and cease its aggressions against the Palestinian civilian population.

Israel can no longer be permitted to act as a State above the law. It is the duty of the Security Council to ensure that Israel complies with all of its obligations as an occupying Power under international law, including humanitarian law and human rights law. Moreover, the obligation to respect and ensure respect for the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (Geneva Convention IV) must be upheld by all of the High Contracting Parties. Such respect is paramount to saving lives, stemming the dangerous deterioration of this situation and salvaging the prospects for peace.

The present letter is in follow-up to our 555 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 7 October 2015 (A/ES-10/692-S/2015/759), constitute a basic record of the crimes being committed by Israel, the

occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations

United Nations S/2015/770

Security Council

Distr.: General
9 October 2015

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions 1996 (2011), 2046 (2012), 2057 (2012), 2109 (2013), 2132 (2013), 2155 (2014), 2187 (2014), 2206 (2015) and 2223 (2015), and statements by its President S/PRST/2014/16, S/PRST/2014/26 and S/PRST/2015/9,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity, and national unity of the Republic of South Sudan, and *recalling* the importance of the principles of non-interference, good-neighbourliness, and regional cooperation,

Welcoming the signing of the "Agreement on the Resolution of the Conflict in the Republic of South Sudan" (the "Agreement") as contained in the annex to S/2015/654, by President Salva Kiir Mayardit, the Sudanese People's Liberation Movement/Sudanese People's Liberation Army in Opposition (SPLM/SPLA-IO) Chairman Dr. Riek Machar Teny, Former Detainees representative Mr. Pagan Amum Okiech, and other stakeholders, and *recognizing* these signatures as a commitment by the parties to implement the Agreement, without exception, and *expressing* its concern with any statement by any party suggesting a lack of commitment to implement the Agreement, as contained exclusively in the annex to S/2015/654,

Expressing deep appreciation for the Intergovernmental Authority on Development (IGAD) Ministerial Group's initiative in leading the mediation since the onset of the crisis, *commending* the expanded efforts of the "IGAD-Plus" configuration, involving 19 nations and organizations including the United Nations, as friends of South Sudan from Africa and elsewhere, to develop and achieve a comprehensive solution that has now established a foundation to deliver a peace to South Sudan, and *urging* enhanced support by the international community during the peace implementation,

Recalling its resolution 2086 (2013) and *reaffirming* the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned,

Reiterating its grave alarm and concern regarding the political, security, and humanitarian crisis in South Sudan, resulting from the internal Sudan People's Liberation Movement (SPLM) political dispute, and subsequent violence caused by the country's political and military leaders since December 2013,

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Acknowledging that the Agreement is the first step in reversing the difficult political and economic situation, as well as the humanitarian, and security catastrophe resulting from this crisis, and *calling* upon the parties, with support from the United Nations and the international community, to fully implement the Agreement,

Calling upon the parties to adhere to the permanent ceasefire immediately, and *confirming* its intention to move swiftly to update the mandate of the United Nations Mission in South Sudan (UNMISS) to support implementation of key tasks in the Agreement,

Strongly condemning all human rights violations and abuses and violations of international humanitarian law, including those involving extrajudicial killings, ethnically targeted violence, rape and other forms of sexual and gender-based violence, recruitment and use of children, enforced disappearances, arbitrary arrests and detention, violence aimed at spreading terror among the civilian population, and attacks on schools, places of worship, hospitals, and United Nations and associated peacekeeping personnel, by all parties, including armed groups and national security forces, as well as the incitement to commit such abuses and violations,

Further condemning harassment and targeting of civil society, humanitarian personnel and journalists, and *emphasizing* the importance of accountability for those responsible for violations of international humanitarian law and violations and abuses of human rights and that the Government of South Sudan bears the primary responsibility to protect its populations from crimes against humanity, war crimes, ethnic cleansing, and genocide,

Expressing serious and urgent concern over the more than 2.21 million displaced persons and deepening humanitarian crisis, *stressing* the responsibility borne by all parties to the conflict for the suffering of the people of South Sudan, and the necessity of ensuring that the basic needs of the population are met, and *commending* United Nations humanitarian agencies, partners, and donors for their efforts to provide urgent and coordinated support to the population,

Recalling the need for all parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, the full, safe and unhindered access of relief personnel, equipment and supplies and timely delivery of humanitarian assistance, to all those in need, in particular to internally displaced persons (IDPs) and refugees,

Condemning all attacks against humanitarian personnel and facilities, including those that resulted in the deaths of 34 personnel since December 2013, and *recalling* that attacks against humanitarian personnel and depriving civilians of objects indispensable to their survival may amount to violations of international humanitarian law,

Expressing its deep appreciation for the actions taken by UNMISS peacekeepers and Troop- and Police-Contributing Countries to protect civilians, including foreign nationals, under threat of physical violence and to stabilize the security situation within and beyond UNMISS sites, *recognizing* the significant resource and capacity challenges the Mission faces in implementing its mandate, and *expressing appreciation* for UNMISS's efforts to support IDPs seeking protection on its sites, while *underlining* the necessity to find sustainable solutions

for the internally displaced persons, including in alternative safe and secure locations, and in keeping with the Guiding Principles on Internal Displacement,

Taking note with interest of the reports on the human rights situation in South Sudan including on the "Escalation of Fighting in Great Upper Nile in April/May 2015" of 29 June 2015, the situation of children in armed conflict on 17 June 2015 and 11 December 2014, the "Attack on Bentiu-20 October 2014" released on 19 December 2014, and the "Attacks on Civilians in Bentiu and Bor-April 2014" on 9 January 2015, in addition to the 21 February 2014 UNMISS Interim Human Rights report, and 8 May 2014 "Conflict in South Sudan: A Human Rights Report",

Expressing grave concern that according to some of these reports there are reasonable grounds to believe that war crimes and crimes against humanity, including those involving extrajudicial killings, rape and other acts of sexual violence, enforced disappearances, the use of children in armed conflict, and arbitrary arrests and detention have been committed by both government and opposition forces, and *noting* that such crimes constitute actions that threaten the peace, security and stability of South Sudan,

Reaffirming that sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, rule of law, and justice and reconciliation activities and, in this regard, *emphasizing* the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding,

Stressing the increasingly urgent need to end impunity in South Sudan and to bring to justice all perpetrators of such crimes, and *further stressing* the importance of accountability, reconciliation and healing in ending impunity, and ensuring a sustainable peace,

Emphasizing that individuals or entities responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, may be designated for targeted sanctions pursuant to resolution 2206 (2015), recalling its willingness to impose targeted sanctions and *noting with interest* the 26 September 2015 communique of the African Union Peace and Security Council expressing its determination to impose measures against all those who impede implementation of the Agreement,

Recognizing the work of the African Union Commission of Inquiry in independent and public human rights monitoring, investigation and reporting, and its 27 June 2014 "Interim Report of AU Commission of Inquiry on South Sudan", and *welcoming* the African Union Peace and Security Council 26 September 2015 communique which includes a decision to release the African Union Commission of Inquiry on South Sudan report and the Separate Opinion, and *anticipating with interest* the findings and recommendations,

Strongly condemning the use of media to broadcast hate speech and transmit messages instigating violence against a particular ethnic group, which has the potential to play a significant role in promoting mass violence and exacerbating conflict, *calling* on the Government of South Sudan to take the appropriate measures in order to deter such activity, and *further urging* all parties to desist from these actions and instead contribute to promoting peace and reconciliation among the communities,

Recognizing the important role played by civil society organizations, faith leaders, women, and youth in South Sudan in reaching the Agreement, and *underscoring* the importance of their participation — and other political parties — in implementing the Agreement,

Emphasizing that persistent barriers to full implementation of resolution 1325 (2000) will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making,

Expressing deep concern at persistent restrictions placed upon the movement and operations of UNMISS, including through repeated violations of the Status of Forces Agreement and blocking the deployment of essential assets and enablers, and *underscoring* the importance of close cooperation and communication between UNMISS and the Government of South Sudan in addressing these issues,

Strongly condemning the attacks by government and opposition forces and other groups on United Nations and IGAD personnel and facilities, including the December 2012 downing of a United Nations helicopter by the SPLA, the April 2013 attack on a United Nations convoy, the December 2013 attack on the UNMISS camp in Akobo, the August 2014 shooting down of a United Nations helicopter by unidentified armed groups, the August 2014 arrest and detention of an IGAD monitoring and verification team, the detention and kidnappings of United Nations and associated personnel, the repeated attacks on the UNMISS camps in Bor, Bentiu, Malakal and Melut, and the disappearance purportedly caused by SPLA forces, and deaths of three United Nations-affiliated national staff and one national contractor in Upper Nile State, and *calling upon* the Government of South Sudan to complete its investigations of these attacks in a swift and thorough manner and to hold those responsible to account,

Reiterating its request that UNMISS take additional measures, as appropriate, to ensure the security of its air operations in South Sudan, and report thereon to the Council,

Stressing the importance of effective engagement and liaison with local communities, both within and outside the Protection of Civilians sites, in order to fulfil UNMISS's Protection of Civilians mandate,

Expressing grave concern regarding the threats made to oil installations, petroleum companies and their employees, and urging all parties to ensure the security of economic infrastructure,

Recalling its resolution 2117 (2013) and *expressing grave concern* at the threat to peace and security in South Sudan arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Welcoming IGAD's continued operations of the Monitoring and Verification Mechanism (MVM) and its transition to the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), *and calling* for the withdrawal of armed groups and allied forces invited by either side, consistent with the Agreement,

Reaffirming its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006), 1894 (2009), 2150 (2014) and 2222 (2015) on the protection of civilians in

armed conflict, and 1502 (2003) and 2175 (2015) on the protection of humanitarian and United Nations personnel; resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014) and 2225 (2015) on children and armed conflict; resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), and 2122 (2013) on women, peace, and security; resolution 2150 (2014) on the prevention and fight against genocide; resolution 2151 (2014) on security sector reform; and resolution 2171 (2014) on conflict prevention,

Taking note of the 21 August 2015 Secretary-General's Report (S/2015/655) and the recommendations contained therein,

Determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates its endorsement* of the Cessation of Hostilities (CoH) Agreement accepted and signed by the Government of South Sudan and the SPLM/SPLA-IO on 23 January 2014, *further endorses* the "Agreement on the Resolution of the Conflict in the Republic of South Sudan", as contained in the annex to S/2015/654 (the "Agreement"), which is designed to bring this conflict to an end; *calls for* immediate and full implementation of the Agreements by the parties, and *expresses its* intention to consider all appropriate measures, as demonstrated by its 3 March 2015 unanimous adoption of resolution 2206 (2015), against those who take action that undermines the peace, stability, and security of South Sudan, including those who prevent the implementation of these agreements;

2. *Urges* all parties to engage in an open and fully inclusive national dialogue seeking to implement lasting peace, reconciliation and good governance, including through the full and effective participation of youth, women, diverse communities, faith groups, civil society, and the formerly detained political leaders, *encourages* the efforts of IGAD, the African Union, and the United Nations to support implementation of the Agreement by the parties and *further urges* them to ensure that child protection provisions are integrated into all peace negotiations and peace agreements;

3. *Decides* to extend the mandate of UNMISS until 15 December 2015;

4. *Decides* that the mandate of UNMISS shall be as follows, and authorizes UNMISS to use all necessary means to perform the following tasks:

(a) *Protection of civilians*:

(i) To protect civilians under threat of physical violence, irrespective of the source of such violence, within its capacity and areas of deployment, with specific protection for women and children, including through the continued use of the Mission's Child Protection and Women Protection Advisers;

(ii) To deter violence against civilians, including foreign nationals, especially through proactive deployment, active patrolling with particular attention to IDPs, including, but not limited to, those in protection sites and refugee camps, humanitarian personnel and human rights defenders, and identification of threats and attacks against civilians, including through regular interaction with civilians and working closely with humanitarian, human rights and development organizations, in areas at high risk of conflict including, as

appropriate, schools, places of worship, hospitals, and the oil installations, in particular when the Government of the Republic of South Sudan is unable or failing to provide such security;

(iii) To implement a mission-wide early warning strategy, including a coordinated approach to information gathering, monitoring, verification, early warning and dissemination, and response mechanisms, including response mechanisms to prepare for further potential attacks on United Nations personnel and facilities;

(iv) To maintain public safety and security of and within UNMISS protection of civilians sites;

(v) To exercise good offices, confidence-building, and facilitation in support of the mission's protection strategy, especially in regard to women and children, including to facilitate the prevention, mitigation and resolution of inter-communal conflict in order to foster sustainable local and national reconciliation as an essential part of preventing violence and long-term State-building activity;

(vi) To foster a secure environment for the eventual safe and voluntary return of IDPs and refugees including through monitoring of, ensuring respect for human rights by, and where compatible and in strict compliance with the United Nations Human Rights Due Diligence Policy (HRDDP), coordination with police services and civil society actors in relevant and protection-focused activities, such as sensitization to issues of sexual and gender-based violence, in order to strengthen protection of civilians;

(b) *Monitoring and investigating human rights*:

(i) To monitor, investigate, verify, and report publicly and regularly on abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity;

(ii) To monitor, investigate, verify and report specifically and publicly on violations and abuses committed against children and women, including all forms of sexual and gender-based violence in armed conflict by accelerating the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence and by strengthening the monitoring and reporting mechanism for violations against children;

(iii) To coordinate with, and provide technical support to, international, regional, and national mechanisms engaged in monitoring, investigating, and reporting human rights violations, as appropriate;

(c) *Creating the conditions conducive to the delivery of humanitarian assistance*:

(i) To contribute, in close coordination with humanitarian actors, to the creation of security conditions conducive to the delivery of humanitarian assistance, confidence building and facilitation, so as to allow, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, the rapid, safe and unhindered access of relief personnel to all those in need in South Sudan and timely delivery of

humanitarian assistance, in particular to internally displaced persons and refugees;

(ii) To ensure the security and freedom of movement of United Nations and associated personnel where appropriate, and to ensure the security of its installations and equipment necessary for implementation of mandated tasks;

(d) *Supporting the Implementation of the Monitoring and Verification Mechanism (MVM)/Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM)*:

(i) To ensure proper coordination with the Joint Technical Committee (JTC), MVM and its successor the CTSAMM, and Monitoring and Verification Teams (MVTs), as appropriate;

(ii) To provide support for the work of the MVM and its successor the CTSAMM, including mobile and dedicated fixed site security to IGAD's MVM and the CTSAMM, as established in line with the decisions of the 31 January 2014 and 13 March 2014 meetings of the IGAD Assembly of Heads of State and Government and the Agreement, and;

(e) *Supporting the Implementation of the Agreement*:

To carry out, within its capabilities, the following tasks in support of the implementation of the Agreement:

(i) To support the planning and establishment of agreed transitional security arrangements, including the establishment and operation of the Joint Operations Centre;

(ii) To support the work of a National Constitutional Amendment Committee (NCAC) and the incorporation of the Agreement into the Transitional Constitution of the Republic of South Sudan, upon request of the parties to the Agreement;

(iii) To assist the parties to develop a strategy to address disarmament, demobilization, reintegration and security sector reform activities;

(iv) To participate in and support the CTSAMM in implementation of its mandate to monitor the separation, assembly and cantonment of forces consistent with Chapter II, paragraph 2.4 of the Agreement;

(v) To monitor and report on the withdrawal of all State and non-State security actors, allied to either Party in conflict, from the territory of South Sudan, with the exception of Western Equatoria State based on the agreements entered into by the Government of the Republic of South Sudan prior to the onset of the 15 December 2013 crisis, and the disarmament, demobilization and repatriation of non-State security actors consistent with Chapter II of the Agreement;

(vi) To actively participate in the work of the Joint Monitoring and Evaluation Commission;

5. *Requests* and *encourages* the Special Representative of the Secretary-General to exercise her good offices to lead the United Nations system in South Sudan in assisting IGAD, the African Union (AU) and other actors, as well as the parties, with swift implementation of the Agreement and to promote reconciliation;

6. *Emphasizes* that protection of civilians, as described in paragraph 4 (a), must remain a priority in decisions about the use of available capacity and resources within the mission;

7. *Requests* the Secretary-General, through his Special Representative, to continue to direct the operations of an integrated UNMISS and coordinate all activities of the United Nations system in the Republic of South Sudan, to deliver a coherent international approach to implementing peace in the Republic of South Sudan, and to use the United Nations' good offices to engage with the parties and other stakeholders;

8. *Decides* to maintain the overall force levels of UNMISS consisting of a military component of up to 12,500 troops of all ranks and a police component, including appropriate Formed Police Units, of up to 1,323 personnel;

9. *Requests* that the Secretary-General provide detailed information on force generation, restructuring of the UNMISS force, logistical support and enablers, including as part of his regular reports, and *requests* the Secretary-General to review needs on the ground and provide an updated assessment of the force's operations, deployment and future requirements in his regular reports to the Council;

10. *Requests* the Secretary-General to prioritize the complete deployment of UNMISS personnel to the authorized military and police strength, including tactical military helicopters and unarmed unmanned aerial systems;

11. *Encourages* the Secretary-General to assist IGAD and the parties in the mass communication and dissemination of key messages in support of the Agreement's implementation;

12. *Requests* UNMISS to take fully into account gender considerations as a crosscutting issue throughout its mandate, in particular regarding women's participation in implementation of the Agreement, including in support to the South Sudanese National Police Service (SSNPS), activities in support of constitution development, ceasefire monitoring, cantonment, disarmament, demobilization and security sector reform, and further requests enhanced reporting by UNMISS to the Council on this issue;

13. *Requests* the Secretary-General to conduct a review of the mandate, in light of the political and security situation in South Sudan, within 45 days from the adoption of this resolution, and to provide an assessment and recommendations, including resource requirements, for necessary civilian and force structure capabilities for UNMISS deployment and requirements in the context of implementation of the Agreement and to fulfil the mandate;

14. *Recognizing* the importance of security in Juba for successful implementation of the Agreement, *requests* the Secretary-General, in consultation with the Government of South Sudan and respective Troop- and Police-Contributing Countries, to conduct an assessment of security planning in Juba, and the appropriate role for the United Nations in providing support for security to key infrastructure in order to protect freedom of movement in Juba and report back to the Security Council with his recommendations in 45 days;

15. *Requests* the Secretary-General to assess actions already undertaken by UNMISS and other countries in support of the SSNPS and submit to the Security

Council within 45 days of the date of adoption of this resolution recommendations on possible further support to the SSNPS as well as the Joint Integrated Police in support of implementation of the Agreement and consistent with the HRDDP;

16. *Authorizes* the Secretary-General to take the necessary steps, in accordance with paragraph 8, to continue to expedite force and asset generation;

17. *Requests* UNMISS to continue to intensify its presence and active patrolling in areas of high risk of conflict, high concentrations of IDPs and refugees, including as guided by its early warning strategy, in both government and opposition-held areas, and key routes for population movement, and to conduct regular reviews of its geographic deployment to ensure that its forces are best placed to fulfil its mandate, and *requests* the Secretary-General provide an update to the Security Council on how the Mission is working toward fulfilling its protection of civilian duties, including, but not limited to new patrol areas and proactive deployment, and on the measures to be taken to transform the Mission to become more efficient and effective in implementing its mandate as part of his regular reports;

18. *Further requests* that UNMISS continue to ensure full compliance with the United Nations zero tolerance policy on sexual exploitation and abuse and to keep the Council fully informed about the Mission's progress in this regard, and *urges* Troop- and Police-Contributing Countries to take appropriate preventive action including pre-deployment awareness training, and to ensure full accountability in cases of such conduct involving their personnel;

19. *Encourages* UNMISS to fully implement the HRDDP and *requests* the Secretary-General to include progress made in implementing the policy in his reports to the Council;

20. *Requests* UNMISS to assist the Committee, within existing resources, established pursuant to paragraph 16 of resolution 2206 (2015) and the Panel of Experts established by the same resolution; *further urges* all parties and Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts and further urges all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;

21. *Condemns* in the strongest terms attacks on and threats made to UNMISS personnel and United Nations facilities, as well as those of IGAD, such as the August 2014 shooting down of a United Nations helicopter, the August 2014 arrest and detention of an IGAD monitoring and verification team, the detention and kidnappings of United Nations and associated personnel, and the repeated attacks on the UNMISS camps in Bor, Bentiu, Malakal and Melut, *stresses* that such attacks may constitute violations of the Status of Forces Agreement and/or war crimes, *demands* that all parties respect the inviolability of United Nations premises and immediately desist and refrain from any violence against those gathered at United Nations facilities, and *further demands* the immediate and safe release of detained and kidnapped United Nations and associated personnel;

22. *Recalls* the designation criteria detailed in paragraph 7 of resolution 2206 (2015), *stresses* the sanctity of United Nations protection sites, and *specifically underscores* that individuals or entities that are responsible or complicit in, or have

engaged in, directly or indirectly, attacks against United Nations missions, international security presences, or other peacekeeping operations, or humanitarian personnel, threaten the peace, security and stability of South Sudan and therefore may meet the designation criteria;

23. *Reiterates its request* that UNMISS take additional measures, as appropriate, to ensure the security of its air operations in South Sudan and report thereon to the Council;

24. *Demands* that the Government of South Sudan comply fully and without delay with the Status of Forces Agreement with UNMISS and all relevant parties cooperate fully in the deployment, operations, and monitoring, verification, and reporting functions of UNMISS, in particular by guaranteeing the safety, security, and unrestricted freedom of movement of United Nations and associated personnel, throughout the territory of the Republic of South Sudan, and further calls upon the Government of South Sudan to ensure freedom of movement for IDPs, including those leaving and entering protection of civilian sites, and to continue to support UNMISS by the allocation of land for protection of civilian sites;

25. *Demands* that all parties allow, in accordance with relevant provisions of international law and United Nations guiding principles of emergency humanitarian assistance, the rapid, safe and unhindered access of relief personnel, equipment and supplies, and timely delivery of humanitarian assistance, to all those in need throughout South Sudan in particular to internally displaced persons and refugees and stresses that any returns or other durable solutions for IDPs or refugees must be undertaken on a voluntary and informed basis in conditions of dignity and safety;

26. *Further demands* that all parties immediately cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, including rape and other forms of sexual and gender-based violence;

27. *Condemns* all violations of applicable international law, including international humanitarian law and violations and abuses of international human rights committed by all parties to the conflict, in particular against children, such as those involving their recruitment and use as child soldiers, killing and maiming, and abduction as well as attacks against schools and hospitals, *urges* all parties to the conflict to implement the Conclusions on Children and Armed Conflict in South Sudan adopted by the Security Council Working Group on Children and Armed Conflict on 8 May 2015, *strongly urges* the Government to fully and immediately implement its revised action plan to end and prevent violations committed against children, and *further strongly urges* the SPLM/SPLA-IO to fully and immediately implement their commitment to end violations and abuses against children signed on 10 May 2014; *takes note* of the 29 October 2014 national launch of the campaign "Children, Not Soldiers" by the Government, and *welcomes* the release of children by the South Sudan Democratic Movement/Army Cobra faction;

28. *Expresses grave concern* at the findings of the Special Representative of the Secretary-General on Sexual Violence in Conflict of rampant sexual violence in South Sudan and *welcomes* the 11 October 2014 Joint Communiqué of the Government of South Sudan and the United Nations on Addressing Conflict-Related Sexual Violence, the December 2014 unilateral communiqué issued by the SPLM/A-IO on Preventing Conflict Related Sexual Violence, the appointment by the Government of South Sudan of a High-Level Focal Point to Address Conflict-

Related Sexual Violence, and the establishment and work of the Technical Working Group, *calls upon* both parties as a matter of urgency to finalize actions plans to implement the commitments made under their respective communiqués, *urges* the Government of South Sudan to implement without delay the commitments made in accordance with resolution 1960 (2010) and 2106 (2013), and *further calls* for specific and time bound commitments by both parties to combat sexual violence in accordance with resolution 1960 (2010) and 2106 (2013);

29. *Requests* the Secretary-General to make available technical assistance for the implementation of Chapter V of the Agreement, including in the setting up of the hybrid court for South Sudan contemplated by the Agreement, to the Commission of the African Union and to the Transitional Government of National Unity, in consultation with them and consistent with Article 1.5 of Chapter V of the Agreement, and including with regard to the establishment of the Commission for Truth, Reconciliation, and Healing;

30. *Requests* the Secretary-General to report to the Security Council within six months from the date of adoption of this resolution on the technical assistance provided consistent with paragraph 29 above to the African Union and the Transitional Government of National Unity with respect to Chapter V of the Agreement, including the hybrid court for South Sudan contemplated by the Agreement, and *invites* the African Union to share information on progress made with the Secretary-General to inform his report, and *expresses* the Security Council's intention at that time to assess the work that has been done in the establishment of the hybrid court, in line with international standards;

31. *Calls upon* the Government of South Sudan to move forward expeditiously and transparently to complete the ongoing investigations of allegations of human rights violations and abuses in a manner consistent with its international obligations, and encourages it to release the reports of those investigations;

32. *Further calls upon* the Government of South Sudan, while taking note of paragraph 3.2.2 of Chapter V of the Agreement, to hold to account all those responsible for violations and abuses of human rights and violations of international humanitarian law, and to ensure that all victims of sexual violence have equal protection under the law and equal access to justice, and to safeguard equal respect for the rights of women and girls in these processes;

33. *Calls upon* all parties to ensure women's full and effective representation and leadership in all conflict resolution and peacebuilding efforts including through support to women's civil society organizations; *further encourages* Troop- and Police-Contributing Countries to take measures to increase the deployment of women in the military, police, and civilian components of the mission, and *reaffirms* the importance of appropriate gender expertise and training in all missions mandated by the Security Council;

34. *Condemns* attacks on oil installations, petroleum companies and their employees, and the continued fighting around these facilities, and *urges* all parties to ensure the security of economic infrastructure;

35. *Requests* that the Secretary-General report to the Security Council on the implementation of the UNMISS mandate, as well as information on violations of the Status of Forces Agreement, including on UNMISS responses to any such

violations, in a written report to be submitted no later than 45 days from adoption of this resolution;

36. *Decides* to remain actively seized of the matter.

United Nations S/2015/771

Security Council

Distr.: General
20 October 2015

Original: English

Note by the President of the Security Council

At its 7538th meeting, held on 20 October 2015, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2014 to 31 July 2015. The Council adopted the draft report without a vote.

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United Nations A/ES-10/694–S/2015/772

General Assembly
Security Council

Distr.: General
9 October 2015

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 9 October 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

The situation in occupied Palestine, including East Jerusalem, continues to deteriorate at an alarming rate owing to the escalation of Israel's latest campaign of military aggression against the Palestinian people. In recent days, the occupying Power has intensified its onslaught against Palestinian civilians, including in the occupied Gaza Strip, in grave breach of international law, including international humanitarian law and the relevant provisions regarding the protection of civilians in armed conflict, and in grave breach of the prohibition of collective punishment against the civilian population under occupation.

Casualties and injuries among the Palestinian civilian population, including women and children, are, tragically, mounting. Today, seven more Palestinians were killed at the hands of the occupying forces. Six of those killed were from the occupied Gaza Strip, where more than 1.8 million Palestinians continue to live under an illegal and immoral Israeli blockade. In Gaza Israeli occupying forces fired at peaceful demonstrators in an area east of the al-Shujaiyeh neighbourhood, killing Ahmed al-Hirbawi, Shadi Dawla, Ziyad Nabeel Sharaf and Abed al-Wahidi, all 20 years of age, while Mohammad al-Raqeb, 15 years of age, was killed after being shot by occupying forces near Khan Younis. Another Palestinian youth, Adnan Abu Alayyan, 19 years of age, was also killed east of Khan Younis. More than 150 Palestinian civilians, among them many children, were injured as a result of the excessive and disproportionate force used by the occupying Power.

The seventh Palestinian causality, Mohammad al-Ja'bari, 19 years of age, was killed in the occupied West Bank city of al-Khalil, near the illegal settlement of Kiryat Arba. In addition to this killing, across the Occupied Palestinian Territory, the Red Crescent is reporting that more than 45 Palestinians have been injured today by live ammunition by the occupying forces and hundreds more have suffered from tear gas inhalation. This brings the total number of Palestinians injured, many of

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them severely, since the beginning of Israel's latest onslaught to more than 800 civilians.

I must convey the Palestinian leadership's grave concern and total condemnation of the continuation of this blatant Israeli aggression and incitement to violence and terror against the Palestinian people. Such reckless behaviour, deliberately aimed at terrorizing and causing harm to our people, captive under this illegal foreign occupation, is seriously heightening tensions and risks the further unraveling of the already fragile situation. In this regard, I bring to your attention the incitement and provocation by Israel's so-called mayor of Jerusalem, who called upon all Jews to carry their guns "all the time" to respond to so-called "Palestinian attacks". Video footage shows him walking around the occupied city carrying a rifle. Such examples of provocation by Israeli officials, together with the continued ban on Palestinian worshippers from the al-Aqsa mosque compound, especially during Friday prayers, can only further inflame tensions, fuelling more unrest and violence, with dire consequences.

The latest onslaught by Israeli occupying forces, upon official government directives, against the Palestinian people has only further emboldened illegal Israeli settlers, who have also intensified their attacks and crimes against Palestinian civilians and their property with complete and utter impunity. Protected by Israeli occupying forces, video footage shows Israeli settlers attacking Palestinians, while occupying forces not only provide cover for them but also attack Palestinians side by side with the groups of armed settlers. Among the many criminal acts committed by illegal Israeli settlers is the incident in which an Israeli settler vehicle ran over Bilal al-Ja'bari, 11 years of age, in the Jaber neighbourhood of al-Khalil, on 7 October 2015. As a result of this vicious crime against yet another innocent child, Bilal is seriously injured and continues to be hospitalized.

After nearly five decades of Israeli repression, violence and collective punishment, which has resulted in thousands of Palestinian deaths and injuries and trauma to the entire civilian population, the international community should not allow one more day to go by where the Palestinian people are left without international protection. Words are not enough and action must be taken to compel Israel, the occupying Power, to halt its illegal and destructive policies and practices. This is urgent to ensure immediate protection for the defenceless Palestinian civilian population, consistent with the provisions and obligations of international humanitarian law. The Palestinian people cannot remain the exception to the responsibility to protect civilians from such atrocities and flagrant breaches of the law. This is also urgent to prevent the situation from spiralling further out of control, particularly in occupied East Jerusalem, where reckless Israeli provocations regarding al-Haram al-Sharif have seriously aggravated religious sentiments and threaten to instigate a religious conflict.

We call again upon the Security Council to take real action to defuse the situation on the ground and call upon Israel, the occupying Power, to withdraw its forces from the Occupied Palestinian Territory, including East Jerusalem, and immediately cease its aggressions against the Palestinian civilian population. The international community cannot remain paralyzed while this critical situation continues to escalate and threatens to plunge the region into another cycle of violence that will only bring more bloodshed and suffering and loss of all hope for a better future.

The present letter is in follow-up to our 556 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 7 October 2015 (A/ES-10/693-S/2015/769), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations

United Nations S/2015/773

Security Council

Distr.: General
9 October 2015

Original: English

Identical letters dated 9 October 2015 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

Since my most recent letter, merely five days ago, the horrific attacks on Israeli citizens have rapidly escalated. It is difficult to convey in a letter the sense of fear that comes with knowing that at any time, on any street, one's life may be threatened. Parents are worried that their children could be stabbed on the way to school, and children have had to watch their own parents brutally murdered in front of their eyes.

The wave of violence has spread nationwide. In the past 72 hours alone, 11 terror attacks like these have taken place in cities across Israel.

Today, over the course of just one hour, an Israeli teenager was stabbed by a Palestinian terrorist in Jerusalem, a policeman was stabbed in Kiryat Arba and a woman attempted to stab a security guard at the central bus station in Afula.

On Thursday, a 19-year-old resident of East Jerusalem stabbed a 25-year-old student in the chest; in Tel Aviv, a terrorist stabbed a female Israel Defense Forces soldier with a screwdriver and went on to stab four other people; in Kiryat Arba, a Palestinian stabbed a 25-year-old man who sustained serious injuries; and, in the fourth terror attack of the day, an Israel Defense Forces soldier was stabbed by a Palestinian terrorist in the city of Afula.

On Wednesday, a Palestinian woman stabbed a man in the back in broad daylight in the Old City of Jerusalem; a 25-year-old Palestinian stabbed several people near a large shopping mall in Petach Tikva; in Kiryat Gat, a Palestinian attacker stabbed an Israeli soldier, grabbed his gun, and invaded a private residence before being shot by police officers; and finally, near Tekoa, Palestinian attackers injured a 38-year-old woman, smashing her car windows and physically removing her from the vehicle before she managed to flee the scene.

As I stated in my previous letter, dated 4 October 2015 (S/2015/757), the escalation in terrorist attacks and killings is a result of the ongoing instigation to violence by the Palestinian leadership. Palestinian officials continue to use inflammatory rhetoric and dangerous incitement, intensifying this wave of terror against Israeli citizens, and it must stop.

The voice of the Security Council needs to be heard. As my final act as the Ambassador of Israel, I am taking the time to write to you to stress the urgency of this situation that requires immediate action. Israelis are being attacked and

murdered in the streets, in their vehicles and even in their homes, and the United Nations stands by in silence.

I call upon you to denounce these attacks in a clear and unequivocal manner, and to speak out against the campaign of incitement, violence and terror currently being waged against the people of Israel.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

United Nations S/2015/774

Security Council

Distr.: General
12 October 2015

Original: English

Albania, Algeria, Andorra, Angola, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Egypt, Equatorial Guinea, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Monaco, Morocco, Namibia, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Qatar, Romania, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Bolivarian Republic of Venezuela: draft resolution

The Security Council,

Reaffirming its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), and 2122 (2013) and all relevant statements of its President,

Bearing in mind the Purposes and Principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

Affirming the primary role of Member States to implement fully the relevant provisions of Security Council resolutions on women, peace and security, and the important complementary role of United Nations entities and regional organizations,

Recalling the commitments of the Beijing Declaration and Platform for Action and their twentieth anniversary, *welcoming* the Global Leaders Meeting on Gender Equality and Empowerment held on 27 September 2015 and *commending* the concrete national commitments made by national leaders in connection to this meeting,

Reaffirming the obligations of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto and *urging* States that have not yet done so to consider ratifying or acceding to it, *further noting* General Recommendation 30 of the Committee for the

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Elimination of All Forms of Discrimination against Women on Women and Conflict Prevention and Post-Conflict Situations,

Welcoming the report of the Secretary-General of 17 September 2015 (S/2015/716) submitting the results of the Global Study on the implementation of resolution 1325, *recognizing* with appreciation all the work undertaken for the Global Study and *encouraging* close examination of its recommendations,

Noting the substantial link between women's meaningful involvement in efforts to prevent, resolve and rebuild from conflict and those efforts' effectiveness and long-term sustainability, as well as the need for greater resourcing, accountability, political will and attitudinal change,

Taking note of the Report of the Secretary-General on the Future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations (S/2015/682), and the Report of the Advisory Group of Experts for the Review of the United Nations Peacebuilding Architecture (S/2015/490), and *welcoming* the recommendations contained therein relating to Women, Peace and Security, and *further urging* all actors to consider their implementation,

Reaffirming the obligations of States and all parties to armed conflict to comply with international humanitarian law and international human rights law, as applicable, and the need to end all violations of international humanitarian law and all violations and abuses of human rights,

Reaffirming that sexual violence, when used or commissioned as a method or tactic of war or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate and prolong situations of armed conflict and may impede the restoration of international peace and security,

Welcoming the emphasis placed on achieving gender equality and the empowerment of women and girls in the recent adoption of the 2030 Agenda for Sustainable Development, *reaffirming* that women's and girls' empowerment and gender equality are critical to conflict prevention and broader efforts to maintain international peace and security, *noting* in this regard the emphasis of the Report of the Independent High-level Panel on Peace Operations (S/2015/446), the Report of the Advisory Group of Experts for the Review of the United Nations Peacebuilding Architecture (S/2015/490), and the Global Study on the need, inter alia, to invest more in conflict prevention and women's empowerment, and *further emphasizing* that persisting barriers to the full implementation of resolution 1325 (2000) will only be dismantled through dedicated commitment to women's participation and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making,

Reiterating the important engagement by men and boys as partners in promoting women's participation in the prevention and resolution of armed conflict, peacebuilding and post-conflict situations,

Noting the changing global context of peace and security, in particular relating to rising violent extremism, which can be conducive to terrorism, the increased numbers of refugees and internally displaced persons, the impacts of climate change and the global nature of health pandemics, and in this regard *reiterating* its intention to increase attention to women, peace and security as a cross-cutting subject in all

relevant thematic areas of work on its agenda, including threats to international peace and security caused by terrorist acts,

Recognizing the differential impact on the human rights of women and girls of terrorism and violent extremism, including in the context of their health, education, and participation in public life, and that they are often directly targeted by terrorist groups, and *expressing deep concern* that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups, used as a tactic of terrorism, and an instrument to increase their power through supporting financing, recruitment, and the destruction of communities, as described in the Secretary-General's Report on Sexual Violence in Conflict of 23 March 2015 (S/2015/203), and *further noting* the Global Counterterrorism Forum's good practices on Women and Countering Violent Extremism,

Recognizing the significance of the fifteen-year anniversary of resolution 1325 (2000), the progress made as well as the opportunity and need for far greater implementation of the women, peace and security agenda, *remaining deeply concerned* by the frequent under-representation of women in many formal processes and bodies related to the maintenance of international peace and security, the relatively low number of women in senior positions in political, peace and security-related national, regional and international institutions, the lack of adequate gender-sensitive humanitarian responses and support for women's leadership roles in these settings, insufficient financing for women, peace and security, and the resulting detrimental impact on the maintenance of international peace and security,

Recognizing the important contribution of civil society, including women's organizations, during the last fifteen years in the implementation of resolution 1325,

Recognizing the new Global Acceleration Instrument on women's engagement in peace and security and humanitarian affairs, in addition to existing complementary mechanisms, as one avenue to attract resources, coordinate responses and accelerate implementation,

1. *Urges* Member States, in light of the High-level Review, to assess strategies and resourcing in the implementation of the women, peace and security agenda, *reiterates* its call for Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, and resolution of conflict, *encourages* those supporting peace processes to facilitate women's meaningful inclusion in negotiating parties' delegations to peace talks, *calls upon* donor countries to provide financial and technical assistance to women involved in peace processes, including training in mediation, advocacy, and technical areas of negotiation, as well as providing support and training to mediators and technical teams on the impact of women's participation and strategies for women's effective inclusion, *further encourages* the meaningful participation of civil society organizations at international and regional peace and security meetings, as appropriate, including donor conferences to help ensure gender considerations are integrated in the development, prioritization, coordination, and implementation of policies and programmes, and *encourages* the hosts of such meetings to give due consideration to facilitating a cross representation of civil society participants;

2. *Welcomes* the efforts of Member States to implement resolution 1325, including the development of national action plans, *further welcomes* the increase in

national action plans in recent years, and *calls upon* Member States to further integrate the women, peace and security agenda into their strategic plans such as national actions plans and other planning frameworks, with sufficient resources, including implementation of relevant obligations under international humanitarian law and international human rights law, through broad consultation, including with civil society, in particular women's organizations, *calls upon* countries with national action plans to provide an update on the progress made in their implementation and review during the annual Security Council Open Debates on Women, Peace and Security, *further welcomes* the efforts of regional organizations to implement resolution 1325, including through the adoption of regional frameworks, and *encourages* them to pursue further implementation;

3. *Encourages* Member States to increase their funding on women, peace and security including through more aid in conflict and post-conflict situations for programmes that further gender equality and women's empowerment, as well as through support to civil society, and to support countries in armed conflict and post-conflict situations, including through capacity-building, in their implementation of women, peace and security resolutions, *calls for* increased international development cooperation related to women's empowerment and gender equality and *invites* aid providers to track the gender focus of aid contributions;

4. *Urges* the Secretary-General and relevant United Nations entities, including but not limited to the Department for Peacekeeping Operations (DPKO), the Department for Political Affairs (DPA), and the Peacebuilding Support Office (PBSO) to redouble their efforts to integrate women's needs and gender perspectives into their work, including in all policy and planning processes and assessment missions, and in relation to requests made in resolution 2122 (2013), and to address deficits in accountability including through the addition by the Secretary-General of gender targets as an indicator of individual performance in all compacts with senior managers at United Nations Headquarters and in the field, including Special Envoys, Special Representatives of the Secretary-General, Resident and Humanitarian Coordinators, to be used for monitoring and to inform decision-making by the Secretary-General, including for recruiting for future posts, and *further encourages* closer working relationships within the United Nations among all those responsible for implementing the women, peace and security agenda, including UN-Women, taking into account their role on women, peace and security coordination and accountability, and the Secretary-General's Special Representative on Sexual Violence in Conflict;

5. *Recognizes* the ongoing need for greater integration of resolution 1325 (2000) in its own work in alignment with resolution 2122 (2013), including the need to address challenges linked to the provision of specific information and recommendations on the gender dimensions of situations on the Council's agenda, to inform and help strengthen the Council's decisions, and therefore in addition to elements set out in resolution 2122 (2013), and in accordance with established practice and procedure:

(a) *Expresses its intention* to convene meetings of relevant Security Council experts as part of an Informal Experts Group on Women, Peace and Security to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts;

(b) *Decides* to integrate women, peace and security concerns across all country-specific situations on the Security Council's agenda, taking into account the specific context of each country, *expresses its intention* to dedicate periodic Security Council consultations on country situations, as necessary, to the topic of Women, Peace and Security implementation, progress and challenges, and *reiterates its intention* to ensure Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups;

(c) *Expresses its intention* to invite civil society, including women's organizations, to brief the Council in country-specific considerations and relevant thematic areas, as well as the Under-Secretary-General/Executive Director of UN-Women and the Under-Secretary-General/Special Representative of the Secretary-General on Sexual Violence in Conflict to brief more regularly on country situations and relevant thematic areas of work on its agenda including on matters of urgency for women and girls in conflict and crisis;

6. *Expresses its intention*, when adopting or renewing targeted sanctions in situations of armed conflict, to consider designating, as appropriate, those actors, including those in terrorist groups, engaged in violations of international humanitarian law and violations and abuses of human rights, including sexual and gender-based violence, forced disappearances, and forced displacement, and *commits to ensuring* that the relevant expert groups for sanctions committees have the necessary gender expertise;

7. *Urges* DPKO and DPA to ensure the necessary gender analysis and technical gender expertise is included throughout all stages of mission planning, mandate development, implementation, review and mission drawdown, ensuring the needs and participation of women are integrated in all sequenced stages of mission mandates, *welcomes* the commitment of the Secretary-General that Senior Gender Advisors will be located in the offices of his Special Representatives, *calls for* senior gender advisors and other gender officer posts to be budgeted for and speedily recruited where appointed in special political missions and multidimensional peacekeeping operations, and *encourages* greater cooperation between DPKO, DPA and UN-Women to enable more gender responsive United Nations peacekeeping operations and special political missions, including through providing field-based gender advisors and other missions' sectors with full access to the policy, substantive and technical support of these entities on the implementation of resolution 1325 (2000) and successive resolutions, making full use of respective comparative advantages;

8. *Welcomes* the Secretary-General's commitment to prioritize the appointment of more women in senior United Nations leadership positions, bearing in mind a cross-geographical representation and in accordance with existing relevant rules and regulations governing administrative and budgetary issues, and *encourages* him to review the obstacles preventing women's recruitment and professional advancement, *further welcomes* efforts to incentivize greater numbers of women in militaries and police deployed to United Nations peacekeeping operations, and *calls upon* the Secretary-General to initiate, in collaboration with Member States, a revised strategy, within existing resources, to double the numbers of women in military and police contingents of UN peacekeeping operations over the next five years;

9. *Expresses* deep concern over continuing allegations of sexual exploitation and abuse by United Nations peacekeepers and non-United Nations forces, including military, civilian and police personnel, urges police- and troop-contributing countries to provide robust pre-deployment training on sexual exploitation and abuse and vetting of their peacekeeping personnel, to conduct swift and thorough investigations of their uniformed personnel and, if appropriate, to prosecute, and to inform the United Nations in a timely manner of the status and outcome of investigations, *calls upon* the United Nations to cooperate as appropriate and in a timely manner with national authorities, including courts responsible for investigating such allegations, when requested for that purpose, and *requests* United Nations troop- and police-contributing country meetings to address sexual exploitation and abuse whenever relevant and the United Nations Military Staff Committee to discuss these issues as part of its regular programme;

10. *Welcomes* the Secretary-General's continued efforts at implementing his policy of zero tolerance of misconduct, in particular the wide-ranging proposals on prevention, enforcement and remedial action which promote greater accountability, including his commitment to bring to public light misconduct by United Nations personnel, as well as his proposal to keep the Security Council informed of developments regarding implementation of his zero tolerance policy on sexual exploitation and abuse, and his decision that all countries repeatedly listed in the annexes of his reports on Children and Armed Conflict and Sexual Violence in Conflict are prohibited from participating in United Nations peacekeeping operations, and *urges* those troop- and police-contributing countries that are currently listed to cease such violations and implement actions plans expeditiously, thereby avoiding suspension from peace operations, *further requests* the Secretary-General to include a section on conduct and discipline including, whenever relevant, adherence to his zero tolerance policy on sexual exploitation and abuse, in all his reports on country-specific situations to the Security Council;

11. *Calls* for the greater integration by Member States and the United Nations of their agendas on women, peace and security, counter-terrorism and countering-violent extremism which can be conducive to terrorism, *requests* the Counter-Terrorism Committee (CTC) and the Counter-Terrorism Committee Executive Directorate (CTED) to integrate gender as a cross-cutting issue throughout the activities within their respective mandates, including within country-specific assessments and reports, recommendations made to Member States, facilitating technical assistance to Member States, and briefings to the Council, *encourages* the CTC and CTED to hold further consultations with women and women's organizations to help inform their work, and *further encourages* the Counter-Terrorism Implementation Task Force (CTITF) to take the same approach in activities within its mandate;

12. *Urges* Member States and requests relevant United Nations entities, including CTED within its existing mandate and in collaboration with UN-Women, to conduct and gather gender-sensitive research and data collection on the drivers of radicalization for women, and the impacts of counter-terrorism strategies on women's human rights and women's organizations, in order to develop targeted and evidence-based policy and programming responses, and to ensure United Nations monitoring and assessment mechanisms and processes mandated to prevent and respond to violent extremism, which can be conducive to terrorism, have the necessary gender expertise to fulfil their mandates, including relevant sanctions

experts groups and bodies established to conduct fact finding and criminal investigations;

13. *Urges* Member States and the United Nations system to ensure the participation and leadership of women and women's organizations in developing strategies to counter terrorism and violent extremism which can be conducive to terrorism, including through countering incitement to commit terrorist acts, creating counter narratives and other appropriate interventions, and building their capacity to do so effectively, and further to address, including by the empowerment of women, youth, religious and cultural leaders, the conditions conducive to the spread of terrorism and violent extremism which can be conducive to terrorism, consistent with the United Nations Global Counter-Terrorism Strategy — A/RES/60/288, *welcomes* the increasing focus on inclusive upstream prevention efforts and *encourages* the forthcoming Secretary-General's Plan of Action to Prevent Violent Extremism to integrate women's participation, leadership and empowerment as core to the United Nation's strategy and responses, *calls* for adequate financing in this regard and for an increased amount, within the funding of the UN for counter-terrorism and countering violent extremism which can be conducive to terrorism, to be committed to projects which address gender dimensions including women's empowerment;

14. *Urges* Member States to strengthen access to justice for women in conflict and post-conflict situations, including through the prompt investigation, prosecution and punishment of perpetrators of sexual and gender-based violence, as well as reparation for victims as appropriate, *notes* that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and *reiterates* its intention to continue forcefully to fight impunity and uphold accountability with appropriate means;

15. *Encourages* empowering women, including through capacity-building efforts, as appropriate, to participate in the design and implementation of efforts related to the prevention, combating and eradication of the illicit transfer, and the destabilizing accumulation and misuse of small arms and light weapons, and *calls upon* Member States, United Nations entities, intergovernmental, regional and subregional organizations to take into consideration the specific impact of conflict and post-conflict environments on women's and girls' security, mobility, education, economic activity and opportunities, to mitigate the risk of women from becoming active players in the illicit transfer of small arms and light weapons;

16. *Calls upon* Member States, the United Nations, and other relevant actors to ensure due consideration is given to the Women, Peace and Security agenda in the process and outcome of the World Humanitarian Summit in Istanbul, Turkey, in 2016, *further recognizes* the importance of integrating gender considerations across humanitarian programming by seeking to ensure the provision of access to protection and the full range of medical, legal and psychosocial and livelihood services, without discrimination, and through ensuring women and women's groups can participate meaningfully and are supported to be leaders in humanitarian action, and *urges* the Secretary-General to strengthen leadership and political will at all levels on this issue and ensure accountability to existing humanitarian frameworks

related to women's empowerment and gender equality which contribute to the implementation of the Women, Peace and Security agenda;

17. *Invites* the Secretary-General in his next annual report on the implementation of resolution 1325 (2000) to submit information on progress made to follow up on the High-level Review including the recommendations highlighted in the Secretary-General's report on the Global Study and new commitments made as part of the High-level Review, as well as appropriate monitoring and evaluation arrangements for the UN system, and to make this available to all Member States;

18. *Decides* to remain actively seized of the matter.

United Nations S/2015/775

Security Council

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Angola, Argentina, Brazil, Canada, Chad, Chile, Colombia, France, Guatemala, Jordan, Malaysia, New Zealand, Peru, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Bolivarian Republic of Venezuela: draft resolution

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 2180 (2014), 2119 (2013), 2070 (2012), 2012 (2011), 1944 (2010), 1927 (2010), 1908 (2010), 1892 (2009), 1840 (2008), 1780 (2007), 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1576 (2004) and 1542 (2004),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Recognizing that, over the past year, Haiti has taken important steps towards stabilization, that paved the way for the completion of the legislative elections and for the presidential, municipal and local elections to take place in 2015,

Welcoming the organization of the first round of the legislative elections on 9 August 2015 in a relatively peaceful environment, and acknowledging the steps taken by the Haitian institutions to take corrective measures to address irregularities and improve the upcoming rounds of elections,

Noting the importance of the Government of Haiti, the Electoral Council and political parties to ensure that the upcoming rounds of elections are conducted in a free, fair, peaceful and democratic manner and in accordance with the electoral law,

Recognizing that the overall security situation remained generally stable with some improvement since the adoption of its resolution 2180 (2014),

Recognizing the importance of condition-based security-related decisions about the future of MINUSTAH and noting that there were incidents of sporadic violence during the first round of elections while there was no increase in levels of insecurity or violence in the Departments from which the military component withdrew,

Recognizing the important role of MINUSTAH in ensuring stability and security in Haiti, and commending MINUSTAH for continuing to assist the Government of Haiti to ensure a secure and stable environment, and expressing gratitude to the personnel of MINUSTAH and to their countries and paying tribute to those injured or killed in the line of duty; commending also the wide range of

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reconstruction efforts in Haiti and the successful work achieved by MINUSTAH's military engineering units,

Underlining the need to further strengthen Haitian judicial and correctional systems, in order to support a more integrated and cohesive Haitian security sector, and noting the commitment by the Government of Haiti to strengthen the rule of law, and to make further progress in security sector reform, and encouraging Haitian authorities to continue to pursue efforts in that regard,

Recognizing also the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development, including the combat against unemployment and poverty, are mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges, in line with the government's priorities,

Reiterating the critical role of the Haitian National Police (HNP) to Haiti's security and stability; welcoming the ongoing strengthening, professionalization and reform of the HNP; noting the partial progress made in the implementation of the five-year 2012-2016 Haitian National Police Development Plan and reiterating the importance of maintaining support for it, especially in the area of recruitment and retention,

Underscoring the importance of adequately funding the Haitian National Police to enhance its logistic, administrative and operational capacities, and encouraging the Government of Haiti to take advantage of the support being provided by the international community to guarantee the provision of adequate security for the Haitian people and calling on all international partners to strengthen their coordination in this regard,

Recognizing the steps taken by the Superior Council of the Judiciary, including important appointments in 2015 that contributed to the strengthening of its capacity and the adoption of its internal rules of procedure in June 2014, to carry out its mandate and promote the strengthening of judicial independence, and expressing the need to further address human rights concerns that still remain in the corrections system, such as prolonged pretrial detentions, prison overcrowding and inhumane conditions,

Noting with concern that the humanitarian situation in Haiti has deteriorated significantly since the Secretary-General report on MINUSTAH released in March 2015 while also noting reduced funding has limited the ability of the United Nations system and its partners to provide an adequate response to the multiple challenges,

Noting with concern that food insecurity, as a result of drought and the consequent decrease in the harvest during the period from March to June, could impact the humanitarian situation and stability,

Acknowledging that while important progress has been made, Haiti continues to face significant humanitarian challenges, with approximately 60,801 internally displaced persons, whose living conditions in the remaining sites, which are characterized by malnutrition, uneven access to water and sanitation, affecting especially women and children, must be further addressed, underscoring that funding to provide basic services and relocation subsidies for the remaining IDPs is no longer available,

Welcoming the ongoing efforts by the Government of Haiti to control and eliminate the cholera epidemic, the progress made in reducing the incidence of cholera in Haiti, and urging the United Nations country team in coordination with other actors to continue to support the Government of Haiti in addressing the structural weaknesses, in particular in the water and sanitation systems, and underscoring the importance of strengthening the Haitian national health institutions, and recognizing United Nations efforts to combat cholera, including through the Secretary-General's initiative to support the National Plan for the Elimination of Cholera; stressing the importance of adequate and sustainable support with particular attention to rapid and targeted medical responses to outbreaks designed to reduce the threat, recalling the visit that the Secretary-General undertook in July 2014 to Haiti, and taking note that he, among other things, launched jointly with the former Prime Minister the "Total Sanitation Campaign" as a key initiative against cholera, and the creation of the High-Level Committee for the Elimination of Cholera,

Welcoming the first meeting of the High Level Committee on Cholera since the change of Government in January 2015, co-chaired by the Prime Minister Evans Paul and the Special Representative of the Secretary General Sandra Honoré, and noting that the increase in cholera cases reported at the end of 2014 and in the first four months of 2015 began showing signs of reversal in May, although the situation remains of concern in the West, Centre, Artibonite and North departments which account for more than 80 percent of the total number of cases between March and August 2015,

Emphasizing that progress in the reconstruction of Haiti, as well as in Haiti's social and economic development, including through effective, coordinated, commendable international development assistance and increased Haitian institutional capacity to benefit from this assistance, are crucial to achieving lasting and sustainable stability, and reiterating the need for security to be accompanied by social and economic development, including efforts in risk reduction and preparedness that address the country's extreme vulnerability to natural disasters, efforts in which the Government of Haiti plays a leading role,

Welcoming the continued development of the Government of Haiti's Framework for the Coordination of External Aid (CAED) as its preferred donor coordination mechanism and venue for supporting the Government of Haiti's development priorities and welcoming also the increased joint programming of the United Nations country team in Haiti in alignment and coordination with the Government-endorsed Integrated Strategic Framework, and welcoming also the commitment to foster greater alignment of international assistance with national priorities, increase transparency and strengthen mutual accountability, as well as the need for stronger coordination,

Welcoming the review and the revision of the integrated strategic framework between the United Nations country team and MINUSTAH, which culminated in the signature of the revised framework on 28 May 2015, that serves to reinforce cooperation among the different elements of the United Nations presence in Haiti, and has allowed MINUSTAH and the United Nations country team to identify specific areas for enhanced collaboration, subject to the availability of additional financial resources,

Urging donors to complete their pledges in order, inter alia, to help promote access to services and jobs for the most vulnerable, and underlining the Government

of Haiti's responsibility to provide clear guidance to donors on its priorities and to facilitate delivery of assistance to those most in need,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti and calling on MINUSTAH to continue to work closely with international financial institutions, regional and subregional organizations, and other stakeholders, in particular the Organization of the American States (OAS), Union of South American Nations (UNASUR), and the Caribbean Community (CARICOM),

Welcoming the continued efforts of the HNP to patrol and enhance its presence and engagement directly with the population; recognizing MINUSTAH's continued community policing efforts, in close coordination with camp committees, in sites for internally displaced persons, and welcoming their engagement with the population,

Expressing serious concern that sexual and gender-based violence, especially against women and children, remains a substantial problem, particularly in marginalized districts of Port-au-Prince, remaining internally displaced persons sites and remote areas of the country,

Recognizing that strengthening national human rights institutions as well as respect for human rights, including of children, and due process and combating criminality, sexual and gender-based violence, and putting an end to impunity and ensuring accountability are essential to ensuring the rule of law and security in Haiti, including access to justice,

Reaffirming the authority of the Special Representative of the Secretary-General in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti, and reaffirming also its support to the Special Representative of the Secretary-General's role in ensuring optimal coordination and collaboration between MINUSTAH and the United Nations country team in connection with the aspects of their respective mandates that are correlated particularly as part of MINUSTAH's condition-based consolidation plan,

Taking note of the Secretary-General's report S/2015/667 of 31 August 2015,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of MINUSTAH, in line with the Secretary-General's report, as contained in its resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007), 1840 (2008), 1892 (2009), 1908 (2010), 1927 (2010), 1944 (2010), 2012 (2011) 2070 (2012), 2119 (2013) and 2180 (2014), until 15 October 2016;

2. *Decides* that MINUSTAH's overall force levels will consist of up to 2,370 troops and of a police component composed of up to 2,601 personnel, the force levels recommended by the Secretary-General;

3. *Affirms* its intention, based on the Security Council's review by 15 October 2016 of Haiti's overall capacity to ensure security and stability and on the security conditions on the ground, to consider the possible withdrawal of MINUSTAH and transition to a future United Nations presence beginning no sooner

than 15 October 2016, to continue to assist the Government of Haiti to consolidate peace, including support to the Haitian National Police;

4. *Requests* the Secretary-General to conduct a Strategic Assessment Mission to Haiti and, on this basis, to present to the Council recommendations on the future presence and role of the UN in Haiti, preferably by 90 days after the inauguration of the new President, and ideally after the formation of a new government;

5. *Affirms* that adjustments to the force configuration should be based on the situation on the ground, compatible with the capacity of MINUSTAH and the Haitian National Police to maintain security in the context of the on-going electoral and political processes, and should take into account the results of the Secretary General's strategic assessment, the importance of maintaining a secure and stable environment and the impact of social and political realities on Haiti's stability and security, the increasing development of Haitian State capabilities, in particular the ongoing strengthening of the Haitian National Police, and the national authorities' increasing exercise of the Haitian State's responsibility for the maintenance of stability and security in the country;

6. *Calls upon* MINUSTAH to maintain capacity, including appropriate air assets, to deploy troops rapidly throughout the country;

7. *Affirms* its commitment to act at any time to adapt MINUSTAH's mandate and force levels, if compelled by a change of conditions in Haiti, if necessary to preserve the progress Haiti has made towards durable security and stability;

8. *Takes note* of the implementation of the conditions-based consolidation plan of MINUSTAH, which focused the Mission's activities on a core set of mandated tasks as agreed with the Government of Haiti and notes that given its reduced capacity and with a view to ensuring continuous progress as the Mission transitions towards the post-consolidation period, MINUSTAH has prioritized the mandated activities and will continue to focus its resources on priority areas, while progressively disengaging from others in coordination with the Haitian Government and international partners;

9. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization; encourages MINUSTAH to continue its efforts to provide logistical and technical expertise, within available means and consistent with its mandate, and coordinating as appropriate with the United Nations country team and others active in stabilization efforts, to assist as requested by the Government of Haiti, to continue to implement decentralization efforts and build the capacity of its institutions at the national and local levels, with a view to enhance further the Government of Haiti's ability to extend State authority throughout Haiti and promote good governance and rule of law at all levels;

10. *Welcomes* the holding of the first round of legislative elections that took place on 9 August 2015;

11. *Strongly urges* Haiti's political actors to work cooperatively and without further delays to ensure the holding of free, fair, inclusive, and transparent presidential, legislative, partial senatorial, municipal, and local elections, including

those which are long overdue, in accordance with the Constitution of Haiti in order to restore the functioning of the National Assembly and other elected bodies and also urges Haiti's political actors to encourage the citizens to a higher level of involvement in the upcoming electoral rounds;

12. *Welcomes* the Special Representative of the Secretary-General's efforts to support the political process under way in Haiti; reaffirms its call upon MINUSTAH to continue to support this process; calls upon MINUSTAH to deliver and coordinate, as appropriate, international electoral assistance to the Government of Haiti in cooperation with international stakeholders including the OAS, UNASUR, and CARICOM as appropriate;

13. *Reaffirms* that Haiti is at an important juncture in the consolidation of stability and democracy, and the engagement of its political leaders and stakeholders in dialogue and compromise is vital to securing the gains made in recent years, in order to set Haiti firmly on a path towards lasting stability and economic development and to enable Haitians to assume even greater responsibility in that regard;

14. *Recalls* its resolutions 1325 (2000) and 2122 (2013) and encourages the Government of Haiti, with the support of relevant stakeholders, to promote increased women's political participation in Haiti, in accordance with the Constitution of Haiti;

15. *Reaffirms* that, in the framework of the improvement of the rule of law in Haiti, strengthening the capacity of the Haitian National Police is paramount for the Government of Haiti to take timely and full responsibility for the country's security needs, which is central to Haiti's overall stability and future development;

16. *Reiterates* that the Haitian National Police's capacity-building remains a most critical task for MINUSTAH; requests MINUSTAH to continue its efforts to strengthen the institutional and operational capacities of the Haitian National Police, in particular by renewed efforts to mentor and train police and corrections personnel, including at intermediate rank levels; calls on MINUSTAH to align skills of UNPOL personnel to support these objectives and provide skilled trainers and technical advisers;

17. *Underlines* the need to ensure effective support from the Government of Haiti and its international and regional partners for the 2012-2016 HNP Development Plan, in order to achieve the goals of a minimum of 15,000 fully operational serving police officers by 2016, adequate logistic and administrative capacity, accountability and respect for human rights and rule of law, a robust vetting process, enhanced recruitment procedures and training, strengthened land and maritime border control, and improved deterrence of transnational organized crime;

18. *Stresses* the need for close coordination among MINUSTAH, donors, and the Government of Haiti to enhance the effectiveness and sustainability of HNP capacity-building efforts; requests also MINUSTAH to facilitate this coordination and to continue to provide technical guidance to donor-funded projects as requested for the rehabilitation and construction of police and corrections facilities as well as for other projects aiming to support HNP's institutional capacity as appropriate;

19. *Encourages* MINUSTAH, in cooperation with the appropriate international actors, to continue to assist the Government in effectively tackling gang violence, organized crime, illegal arms trafficking, drug trafficking and trafficking of persons especially children, as well as ensuring proper border management;

20. *Encourages* the Haitian authorities to continue to implement justice reform by taking the necessary steps, including through ongoing support to the Superior Council of the Judiciary, to ensure the independence and effectiveness of the judicial institutions, and to continue to address the issue of prolonged pretrial detentions and prison conditions and overcrowding, with special regard to women and children held in detention;

21. *Calls on* all donors and partners, including international and non-governmental organizations as well as the UN country team, to better coordinate their efforts and work closely with the Haitian Government through its Framework for the Coordination of External Aid (CAED), which is intended to help the Government ensure increased transparency, national ownership and coordination of foreign assistance and to strengthen the Government's capacity to manage external assistance;

22. *Welcomes* the revised integrated strategic framework between the United Nations country team and the Mission that serves to reinforce cooperation among the different elements of the United Nations presence in Haiti;

23. *Requests* the United Nations country team, and calls upon all actors, to complement security and development operations undertaken by the Government of Haiti with the support of MINUSTAH with longer term impact activities aimed at effectively improving the living conditions of the concerned populations, in particular women and children;

24. *Requests* MINUSTAH, working in coordination with the United Nations country team, to continue to implement quick-impact projects that contribute in building a secure and stable environment and enhance national ownership and the trust of the Haitian population towards MINUSTAH, particularly in the priority areas identified by the Mission's leadership and consistent with the Government of Haiti's priorities as appropriate;

25. *Strongly condemns* the grave violations against children affected particularly by criminal gang violence, as well as widespread rape and other sexual abuse of women and girls, and calls upon the Government of Haiti, with the support of MINUSTAH and the United Nations country team, to continue to promote and protect the rights of women and children as set out in Security Council resolutions 1325 (2000), 1612 (2005), 1820 (2008), 1882 (2009), 1888 (2009), 1889 (2009), 2106 (2013) and 2122 (2013), and encourages all actors in the Haitian Government, the international community and civil society to renew their efforts to eliminate sexual and gender-based violence in Haiti; as well as to improve response to rape complaints and access to justice for the victims of rape and other sexual crimes; encourages national authorities to promote national legislation in this regard;

26. *Requests* MINUSTAH to continue to pursue its community violence reduction approach, in close collaboration with the Haitian Government, with a particular focus on at-risk youth, women, the displaced and those living in violence-affected neighbourhoods and to ensure that this activity is coordinated with, and supports the work of, the United Nations country team to build local capacity in this area by taking into account Haitian priorities;

27. *Encourages* MINUSTAH to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through joint community policing in the camps, in line with Security Council resolution 1894 (2009);

28. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to continue to keep the Council informed, and urges troop- and police-contributing countries to redouble efforts in preventing cases of misconduct and to ensure that acts involving their personnel are properly investigated and punished;

29. *Reaffirms* MINUSTAH's human rights mandate as an essential component of the Mission and recognizes that respect for human rights is an essential element for Haiti's stability, in particular attention to individual accountability for grave violations under past governments, urges the Government to ensure with the support of the international community, as appropriate, the respect and protection of human rights by the Haitian National Police and the judiciary, and calls on MINUSTAH to provide monitoring and support in this regard;

30. *Encourages* MINUSTAH, within its mandate, to continue to use existing means and capabilities, including its engineers, with a view to enhancing stability in Haiti while fostering greater Haitian ownership in the context of its condition-based consolidation plan;

31. *Requests* MINUSTAH to continue to support the Haitian authorities in their efforts to control the flow of small arms, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the development and implementation of a national community policing doctrine;

32. *Underscores* the importance that planning documents for MINUSTAH's military and police components, such as the concept of operations and rules of engagement, be regularly updated, as appropriate, and be in line with the provisions of all its relevant resolutions, and requests the Secretary-General to fully report in a timely manner on them to the Security Council and troop- and police-contributing countries;

33. *Requests* the Secretary-General to keep it regularly informed, and to report to the Council on the implementation of MINUSTAH's mandate, semi-annually and not later than forty-five days prior to its expiration;

34. *Requests* the Secretary-General to continue to include in his reports a comprehensive assessment of the situation in Haiti, highlighting the security conditions on the ground with a specific focus on the capacity of the Haitian National Police, and to continue to present a progress report of the consolidation plan as an annex to his next report;

35. *Decides* to remain seized of the matter.

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Report of the Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia

I. Introduction

1. The present report is submitted pursuant to paragraph 31 of Security Council resolution 2184 (2014), in which the Council requested me to report on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia.

2. The report covers major developments since my previous report, of 16 October 2014 (S/2014/740), until 11 October 2015. The assessment and observations herein are based on information provided by Member States and regional organizations, in conformity with paragraph 30 of resolution 2184 (2014). Information was provided by Germany, India, Japan, Latvia, Serbia, Turkey and the United Kingdom of Great Britain and Northern Ireland, as well as by the European Union and the North Atlantic Treaty Organization (NATO). The United Nations system, the International Criminal Police Organization (INTERPOL) and the Monitoring Group on Somalia and Eritrea were also consulted.

II. Main developments and trends regarding piracy off the coast of Somalia

3. It has been more than two years since a large commercial vessel has been hijacked and held for ransom by Somali pirates. Following the trend in 2013, the total number of incidents caused by pirates based in Somalia continued to fall, from 20 in 2013 to 12 during the reporting period, according to figures provided by the International Maritime Organization (IMO). This represents a significant decrease from the 78 reported in 2007, when Somalia-based piracy was prevalent, and the 237 ships targeted by Somali pirates in 2011. The total number of seafarers from large commercial vessels who are being held hostage by Somali pirates currently stands at 26, compared to 37 in October 2014.

4. The positive overall trend notwithstanding, credible reports suggest that commercial ships remain a target of Somali pirates. In most cases, ships were successful in preventing attacks through vigilance, situational awareness and an assertive response, in accordance with the Best Management Practices for Protection against Somalia-based Piracy. Combined threat assessments by the European Union Naval Force (EUNAVFOR), NATO and the Combined Maritime

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Forces with regard to the threat of piracy, in terms of capability, intent and opportunity, suggest that the continued suppression of piracy is reliant on the maintenance of collective response mechanisms by Member States, regional actors and the United Nations system. In addition, it is stressed in the assessments that root causes, such as a fragile economy, the lack of alternative livelihoods and weak governance structures, continue to require the attention of the Federal Government of Somalia, with support from the international community.

5. Smaller vessels remain vulnerable. Figures for 2014 from the United Nations Office on Drugs and Crime (UNODC) show that there were 18 pirate attacks on fishing vessels and two dhows were held. In addition, in early 2015, 37 Iranian fishermen aboard two fishing vessels, the *Siraj* and the *Jaber*, were seized by pirates after allegations of illegal fishing activities. The *Jaber* subsequently escaped with its crew; 19 hostages continue to be held, however.

6. There is evidence of a complex relationship between piracy and illegal, unreported and unregulated fishing. The Secure Fisheries programme, in its report of 16 September 2015, and the Food and Agriculture Organization of the United Nations (FAO) noted a marked increase in reports of such fishing by foreign vessels off the coast of Somalia, reflecting the perceived reduction in the threat of piracy in the area. Noting the upturn in attacks on fishing vessels close to the Somali coast since the beginning of 2015, it was noted by Secure Fisheries and FAO that local frustration with such activities may be contributing to a reappearance of coastal community support for piracy.

7. It also remains clear that despite a marked reduction in the commission of piracy attacks, the criminal networks behind such acts have not been defeated. During the reporting period, crime trends indicated that the Indian Ocean was increasingly exploited by criminal organizations to engage in seaborne transnational criminal activities, including trafficking in persons and smuggling of migrants, drug trafficking, illegal fishing and wildlife and forestry crime. Such activities leverage the existing resources and expertise of criminal syndicates, including pirate and terrorist networks, and take advantage of normative vacuums in the regulation of international and territorial waters and maritime law-enforcement capacities to further illicit activities.

III. Hostage release and support efforts

8. In February 2015, four Thai nationals from the fishing vessel *Prantalay 12* were released and repatriated. All crews held hostage had been mistreated; some of the hostages released had suffered torture and ill-treatment during captivity and will require significant aftercare.

9. Twenty-six crew members of the fishing vessel *Naham 3* have remained in captivity since 2012. As noted above, 19 fishermen from the *Siraj* were taken hostage on 26 March 2015. In addition, a pirate group has been holding two Kenyan citizens taken hostage on land in 2014. The Hostage Support Programme, which is funded by the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, constantly monitors the conditions of individuals held in captivity, provides medical support, and engages in dialogue with both government counterparts and pirate groups to advocate and secure the release of such individuals. UNODC and partners continue to support efforts to achieve the

objective of zero ships and zero seafarers in the hands of Somali pirates, adopted by the Contact Group on Piracy off the Coast of Somalia.

IV. Development of counter-piracy efforts in Somalia

A. Legal and policy frameworks

10. The reporting period saw notable progress by the Federal Government of Somalia in developing relevant legal, policy and coordination frameworks to address the threat of piracy. With support from the United Nations Assistance Mission in Somalia (UNSOM) and EUNAVFOR, the Federal Government completed a draft coastguard law, which was submitted to the Council of Ministers for subsequent approval by Parliament. IMO also provided the Ministry of Ports and Marine Transport of the Federal Government with draft guidelines for the establishment of a maritime administration department, with the goal of enabling Somalia to diligently undertake its flag, port and coastal State responsibilities.

11. Further to discussions with international partners within the framework of the Contact Group on Piracy off the Coast of Somalia, steps were taken to ensure proper management and coordination among Somali federal and regional authorities regarding the exploitation of maritime resources. At a meeting held on 7 July 2015, representatives of the relevant entities agreed to operationalize a maritime security coordination committee to facilitate cooperation between the national maritime coordination committee of the Federal Government of Somalia, the Somali regional maritime coordination committees (including the Puntland and Galmudug administrations, the Interim Jubba Administration and other current and future regional administrations) and "Somaliland". The committee is expected to serve as an important mechanism for information-sharing and cooperation to optimize the implementation of counter-piracy and maritime security capacity-building programmes.

12. Coordination between the Somali authorities and international partners was further institutionalized within the framework of the Somali Compact. With the support of UNSOM, a Somali navy and coastguard working group was established in alignment with Priority 4 (maritime strategy) of Peace and State-building Goal 2 (Security) of the Compact. This coordination, which brings together the Federal Government of Somalia and international partners, is aimed at advising and assisting the Ministry of Defence in developing its maritime security forces.

B. Capacity-building

13. Numerous international partners contributed to building the capacity of the Federal Government of Somalia and the interim regional administrations to fully exercise law-enforcement powers in coastal areas. In this regard, financial support from Germany, the United Kingdom and other Member States to INTERPOL, the European Union civilian mission, EUCAP Nestor, which assists host countries in building self-sustaining capacity on counter-piracy, maritime governance and security, and United Nations programmes and projects, notably the UNODC Maritime Crime Programme, helped to strengthen the capacity of prosecution

authorities and maritime security entities, build a maritime administration, and promote livelihood development in Somalia.

14. In addition, on 16 October 2014, 61 Somali cadets from the coastguard and port police graduated from a seven-week training course in Djibouti. The UNODC Maritime Crime Programme provided maritime law-enforcement and engineering mentors, who delivered on-the-job training and mentoring within the Somali maritime police and coastguard units.

15. UNODC continued to build the capacity of maritime law-enforcement authorities in Somaliland, Puntland and southern and central Somalia. Prison operations were supported through the provision of food, health-care services and medicines and other procurement activities, while Custodial Corps staff received training on security and information management. In collaboration with UNODC, prison mentors routinely reviewed security conditions to reduce the risk of escape or mistreatment, particularly with respect to prisoners transferred under the Piracy Prisoner Transfer Programme and other high-risk offenders.

16. In Mogadishu, the UNODC mentoring programme focused on building the maritime and policing skills of the maritime unit of the Somali police force. During the reporting period, 22 officers received advanced training and 20 new recruits received initial training. The first group of trainees is supporting maritime forces of the African Union Mission in Somalia (Uganda People's Defence Forces) in patrolling the waters off Mogadishu International Airport. On land, UNODC continued its multi-year programme of training, procurement and construction work at the Mogadishu prison and court complex, which is set to be a unique facility in southern and central Somalia that will provide a secure environment for trials of high-risk prisoners such as pirates, terrorists and former combatants. During the reporting period, construction work was undertaken to expand the prison's secure area and thus reduce overcrowding. Training was delivered to 75 custodial officers and uniforms were issued to 350 officers, with a view to improving security and professionalism. The project will continue until the end of 2016.

17. In Puntland, UNODC supported the port police through the provision of equipment and the construction of the port police headquarters, which will serve as a training and operations planning centre. Work commenced in 2015 and will continue throughout 2016. In Galmudug, the police station in south Gaalkacyo was refurbished as part of the UNODC programme, with a view to building the capacity of law-enforcement authorities based there that are responsible for conducting investigations into piracy and other maritime crime. The activities were funded by the Trust Fund and will be completed in 2015.

18. In Somaliland, the same programme provided six boats and trained five teams of eight officers on vessel handling and boarding tactics, safety of life at sea and the use of force. In addition, UNODC provided three intensive training courses to existing boat crews, and 15 senior officers received dedicated training on operational readiness and standard operating procedures. Such training and mentoring efforts have led to 51 interdictions of illegal fishing vessels by "Somaliland" authorities since December 2014, including the interception of an illegal consignment of weapons, the rescue of the crew aboard a burning ship, and the provision of support for the safe passage of refugees and Somali returnees fleeing the conflict in Yemen.

19. The Division for Ocean Affairs and the Law of the Sea within the Office of Legal Affairs of the Secretariat, with the support of UNSOM, conducted two training activities, one for officials of the Federal Government of Somalia and the interim regional administrations and one for parliamentarians, which were financed through the Trust Fund. The objective was to build the knowledge and capacity of Somali legislators and technical officials regarding the rights and duties of States in the maritime zones set out in the United Nations Convention on the Law of the Sea, including in relation to the repression of piracy. From May to September 2015, the Division also provided one Federal Government official with specialized training on issues relating to ocean affairs and the law of the sea, which was funded through a special strategic fellowship award from the United Nations-Nippon Foundation of Japan Fellowship Programme.

20. Noting the link between illegal fishing and piracy, FAO facilitated capacity-building and training of fisheries observers and inspectors in order to build the capacity of the Federal Government of Somalia to effectively monitor, control and exercise surveillance of its waters, ensure that national and international fishing vessels comply with local and international regulations, and collect fisheries data. A small team of officials from the Federal Government and the interim regional administrations received fisheries management training in the United Republic of Tanzania. FAO also provided technical support to Somalia in meeting its obligations as a Contracting Party of the Indian Ocean Tuna Commission.

C. Tackling root causes of piracy

21. The underlying factors enabling piracy include a fragile economy, the lack of alternative livelihoods, insecurity and weak governance structures. Efforts to address these issues are continuing within the framework of the Somali Compact for peacebuilding and State-building. The latest developments are reflected in my reports on Somalia of 11 September (S/2015/702), 12 May (S/2015/331) and 23 January 2015 (S/2015/51).

22. During the reporting period, FAO provided technical and legal support for the establishment of a federal Somali fisheries authority under the Ministry of Fisheries and Marine Resources. This would enable Somalia to benefit from revenue generated by licences issued to foreign-flagged fishing vessels and to effectively exercise surveillance of its waters, with the potential to curtail illegal fishing and associated community support for such activity.

23. Meanwhile, with support from the Trust Fund, FAO provided technical assistance to Somalia in building a registration scheme enabling Governments, non-governmental organizations and international naval missions to confirm the identities of fishermen and thereby protect their livelihoods. More than 4,500 fishermen in Puntland were registered and 3,500 identification cards were distributed. Similarly, 700 fishermen have been registered by the Galmudug and Jubba interim regional administrations.

24. FAO also supported rehabilitation and construction initiatives for improving access to markets for fishermen in Mogadishu, Kismayo, the towns of Eyl and Boosaaso in Puntland and the port of Berbera in Somaliland, and introduced two new vessel designs to help fishermen to increase their catches. Local capacity to build the new vessels in Boosaaso and Berbera will be fully established by the end

of 2015. Following successful pilot projects to produce value-added sundried tuna in Boosaaso and Mogadishu during the reporting period, FAO initiated plans to extend the work to fishing communities and communities of internally displaced persons in coastal areas, which it hopes will make a major contribution to food security and employment.

25. The deployment in Puntland early in November 2015 of 25 fish aggregating devices to collect fish, which are on contract to FAO, should underpin related efforts to improve coastal livelihoods without increasing competition or conflict within coastal communities, and may stimulate youth employment in such communities.

V. International cooperation

A. Contact Group on Piracy off the Coast of Somalia

26. The Contact Group on Piracy off the Coast of Somalia held its seventeenth plenary session in Dubai, United Arab Emirates, on 28 October 2014 and its eighteenth plenary session in New York on 8 July 2015. It endorsed the offer of the Government of Seychelles to chair the Contact Group during 2016.

27. At the eighteenth plenary session, in addition to receiving updates and presentations from the Federal Government of Somalia and FAO, participants discussed the scope of the high-risk area, the eastern limit of which had been extended in 2011 from longitude 65° east to longitude 78° east in response to the rise in incidents of piracy. Many Member States with coastlines bordering the Indian Ocean, including India, Oman and Pakistan, and other Member States in the Horn of Africa, the Arabian Peninsula and South Asia, called for the revision of the coordinates of the high-risk area, since no incidents of piracy east of longitude 65° east have been reported in the past three years. In particular, India highlighted adverse consequences arising from the continued extension of the high-risk area, including the rerouting of merchant vessels closer to the coast of India, excessive false alarms that could undermine the military effort, the presence of "floating armouries" and armed guards without proper regulation in India's maritime zones and adjacent waters, and the increased cost of shipping owing to higher insurance charges. In the light of these concerns, the Contact Group called upon the insurance and maritime industries to take the steps necessary for a substantive review of the high-risk area within three months and report back to the Chair, while noting that a consideration of revision did not imply reduced vigilance or disengagement. On 2 October 2015, representatives of the insurance and maritime industries agreed to revise the limits of the high-risk area, which will significantly reduce the areas at sea deemed to be at high risk of piracy.

28. The working groups of the Contact Group also continued their work. At its meeting of 7 July 2015, the Working Group on Capacity-Building welcomed the agreement by the Federal Government of Somalia, "Somaliland", Puntland and the interim regional administrations to operationalize the Maritime Security Coordination Committee, noting that emphasis should be placed on implementing the Somali Maritime Resource and Security Strategy. It took note of the agreement between representatives of the Federal Government of Somalia, "Somaliland", Puntland and the interim regional administrations that, once established, the

Coordination Committee should in due course assume the role and functions of the Working Group.

29. The Working Group on Disrupting Pirate Networks Ashore observed that pirate leaders and financiers based in Somalia are enjoying de facto impunity there. They are neither arrested, prosecuted nor extradited, and can often invest the illegal proceeds of piracy in other trades, both legal and illegal, or move them abroad.

30. The Working Group on Maritime Counter-Piracy and Mitigation Operations reported on the work of the technical subgroup on maritime situational awareness, which had stated that the current maritime situational awareness framework and its associated system architecture must be sustained. Meanwhile, regional stakeholders have started to form a maritime situational awareness organization that will combine the action of existing centres with a regional network of information-sharing and fusion centres. A joint maritime communications initiative for Somalia is being developed by UNODC, EUCAP Nestor and Oceans Beyond Piracy, which will provide initial operating capability for Somalia and its regions.

31. A law enforcement task force was formed in 2014 in recognition of the need to bring together law enforcement partners from around the world to coordinate investigations into and share information on land-based Somali pirate leaders. In October 2014, the task force identified pirate leaders against whom investigators and prosecutors would work by sharing information, advising one another on strategy and best practices and carrying out investigations. Meanwhile, the Legal Forum of the Contact Group discussed and adopted its mission as a platform for the study, analysis and discussion of legal matters relating to piracy issues.

B. Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia

32. As at 30 June 2015, the total balance of the Trust Fund stood at $1.8 million. Since December 2012, the Trust Fund has received a total of $12.7 million from 17 donors.

33. On 28 October 2014, the Board of the Trust Fund convened in Dubai, United Arab Emirates, for its sixteenth meeting, chaired by the Department of Political Affairs. The Board approved three projects submitted by FAO and UNODC, which amounted to $900,000. The two FAO projects approved by the Board provide biometric-based database systems for fishermen and vessels to the Ministry of Fisheries and Marine Resources, the ports of Galmudug and the Ministry of Agriculture, Livestock and Fisheries of the Interim Jubba Administration. The UNODC project is designed to equip 80 at-risk young people in Boosaaso with livelihood skills, thereby deterring them from involvement in piracy and violent activities and contributing to the economic development of their communities.

34. On 7 July 2015, the Board of the Trust Fund at its seventeenth meeting reviewed a total of five new projects for funding, three of which were approved for a total amount of $808,487. The projects were (a) a request by UNODC for an ad hoc replenishment of $200,000; (b) a UNODC project on detention and transfer in the areas of Garoowe, Puntland, and Hargeisa, Somaliland; and (c) a project by IMO on support to maritime governance in Somalia. It was further agreed that (a) gender analysis should be included in the development of all future project proposals; and

(b) steps should be taken to increase links between the Trust Fund and the Somali Compact to ensure complementarity between projects supported under the Trust Fund and the goals of the Compact, as well as with the United Nations Multi-Partner Trust Fund established within the framework of the Compact. The representative of Somalia stressed the need for the Federal Government of Somalia to be fully consulted on projects.

C. Cooperation on piracy-related prosecutions

35. The United Nations, Member States and regional organizations continue to support Somalia and other States in the region in their efforts to prosecute suspected pirates and punish convicted pirates, including onshore facilitators and financiers, consistent with applicable international human rights law. The UNODC Maritime Crime Programme in particular continues to support States in the region that are prosecuting piracy.

36. To date, naval forces operating in the Gulf of Aden and the western Indian Ocean have detained a total of 323 suspected pirates, of whom 164 have been tried in Kenya, 147 in Seychelles and 12 in Mauritius. EUNAVFOR detained 155 of the suspected pirates, while others were detained by international naval forces operating under NATO Operation Ocean Shield or by the Combined Maritime Forces. The Seychelles coastguard detained 41 suspected pirates. A total of 48 men have been transferred for trial in Seychelles. On 13 March 2015, the Supreme Court of Seychelles returned a guilty verdict against nine pirates handed over by Denmark in November 2013. Eight adult defendants received sentences of 14 years each, while the juvenile defendant was sentenced to three years' imprisonment.

37. Judgements in two cases were delivered by the Seychelles Court of Appeal on 28 August 2015. In the case of seven Somali men detained by EUNAVFOR in February 2013, the Court of Appeal found that insufficient consideration had been accorded to the defence at the trial before the Supreme Court of Seychelles, and quashed their convictions. In the case of six Somali men detained by the navy of the Netherlands in August 2012, an appeal was made by one of the men for the court's consideration and the remaining five sentences were reduced from 24 to 12 years. EUNAVFOR continues to support the prosecution in one further trial in Seychelles, including assistance with the location and attendance of witnesses.

38. In June 2015, the Supreme Court of Mauritius heard the prosecution appeal in the case of 12 suspected pirates acquitted by the Intermediate Court in November 2014. It is anticipated that the Supreme Court will provide its judgement in 2015.

39. Five suspected pirates remain on remand in Seychelles. The UNODC Maritime Crime Programme supported regional prosecution efforts through the provision of interpretation services, support to prosecutors, travel of witnesses and video evidence facilities for witnesses.

40. To alleviate the burden on prosecuting and detaining States while promoting closer ties with families and countries of origin, the UNODC Maritime Crime Programme facilitated the transfer and repatriation of Somalis convicted or acquitted of acts of piracy. During the reporting period, the Programme carried out two post-sentence repatriations and five repatriations of acquitted Somali men from

Seychelles, and six post-sentence repatriations from Kenya. As piracy trials progress, more repatriations and transfers are expected in the final quarter of 2015.

41. Prosecutions and court procedures also continued in Germany, with cooperation between the Federal Ministry of Justice and Consumer Protection and law-enforcement and military authorities.

42. There were no transfers of prisoners by UNODC during the period under review.

D. Naval activities off the coast of Somalia

43. International naval missions from the European Union, NATO and the Combined Maritime Forces, in addition to counter-piracy missions of several Member States, including China, Colombia, India, Iran (Islamic Republic of), the Republic of Korea and the Russian Federation, continued to ensure security at sea by protecting merchant vessels and deterring pirate activity in the Gulf of Aden and the Indian Ocean, as authorized by the Security Council in its resolution 2184 (2014).

44. The European Union Naval Force operation Atalanta continued to deter and disrupt piracy off the coast of Somalia. It comprises up to five warships, three maritime patrol aircraft and more than 1,000 personnel, and includes contributions from Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Serbia, Spain, Sweden and the United Kingdom. It has to date provided complete protection to World Food Programme shipping, as well as to vessels supporting the African Union Mission in Somalia, such that no ship operating for either organization has been attacked by pirates since the beginning of the operation in 2008. In December 2014, the European Union extended the operation for a further two years until December 2016, with a revised mandate to support other European Union missions and instruments in Somalia, as a secondary task, upon request and within its means and capacities, as part of the European Union's comprehensive approach to Somalia.

45. NATO Operation Ocean Shield also continued to make a significant contribution to the international response to piracy off the Horn of Africa by deploying up to four vessels and, at times, maritime patrol aircraft. As decided by the North Atlantic Council, the operation will continue until the end of 2016 with a focused presence in the Indian Ocean during the inter-monsoon periods, when the risk of possible pirate attacks is at its highest. Operation Ocean Shield continues to coordinate its activities at the tactical level with other counter-piracy stakeholders. In 2015, Australia participated in the operation for a limited period, and Colombia has been supporting the operation since 14 September. The NATO Shipping Centre in the United Kingdom has continued to support merchant shipping in the high-risk area of the Indian Ocean by providing timely information. NATO continues to chair coordination meetings of the Shared Awareness and Deconfliction mechanism on a rotational basis with the Combined Maritime Forces and EUNAVFOR.

46. The counter-piracy efforts of the Combined Maritime Forces in the Gulf of Aden, the Arabian Sea, the Indian Ocean, the Somali Basin and the Red Sea are managed by Combined Task Force 151, which is one of three task forces of the

Combined Maritime Forces with the objective of disrupting piracy and armed robbery at sea. Combined Task Force 151 works in close cooperation with the European Union and NATO and maintains a consistent air and sea presence, with a variable force flow of vessels, aircraft and personnel from contributing States. During the reporting period, it was under the command of New Zealand, Thailand, Pakistan and Japan, and is currently under the command of Turkey.

47. The naval forces of Turkey have been participating in both Combined Task Force 151 and NATO Operation Ocean Shield. The Indian Navy continues to conduct anti-piracy patrols in the Gulf of Aden. Japan is also continuing its anti-piracy operations through the deployment of Maritime Self-Defence Force destroyers and maritime patrol aircraft in the Gulf of Aden.

E. International capacity-building

48. In addition to the many capacity-building activities in support of Somalia already listed, the IMO programme for implementation of the Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden continues to deliver results in the four thematic areas of information-sharing, training, national legislation and capacity-building. To date, more than 60 training courses have been delivered under the programme, benefiting more than 1,000 trainees, with more courses scheduled. The establishment of the information-sharing network and the enhancement of maritime domain awareness in the region were noted as significant achievements.

F. Emerging issues in the Indian Ocean rim

49. To address the evolving nature of the maritime threats in the Indian Ocean and their transnational links, the Indian Ocean Forum on Maritime Crime has emerged as a regional network among Indian Ocean States to tackle broader maritime crime. It is supported by the UNODC Maritime Crime Programme, the engagement of which in the implementation of Security Council resolution 2182 (2014) is also part of new efforts to disrupt maritime crime originating in the region. The Forum was welcomed at the African Union Extraordinary Summit on Maritime Safety and Security in February 2015 and at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

VI. International legal and judicial issues, including human rights considerations

50. Pursuant to resolutions 1976 (2011), 2015 (2011) and 2020 (2011), in which the Security Council called upon States to criminalize piracy under their domestic law, some Member States reported progress in enacting the requisite national legislation. Latvia reported that it continues to work on improvements in its national laws to enhance the safety of ships, shipping companies, ports and port installations, and to recognize maritime and shipping organizations at the national level. Germany reported that it has provisions in its national legislation to tackle piracy and exercises jurisdiction in accordance with the principle of universal jurisdiction in cases in which the crime of an attack on maritime traffic has been committed.

51. A key outstanding issue is the regulation of sea-based private security contractors and their activities in counter-piracy operations. In particular, the use of force and possible detention of pirates by such contractors may affect the international regulatory framework governing private security companies. The matter was discussed during the fourth session, held from 27 April to 1 May 2015, of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies.

52. The IMO Maritime Safety Committee held its ninety-fifth session from 3 to 12 June 2015, at which it approved revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the high-risk area (see annex to MSC.1/Circ.1406/Rev.3). In accordance with the revised interim recommendations, if the use of such personnel is determined to be an appropriate and lawful measure, the flag States are recommended to establish a policy that ensures that private maritime security companies employing such personnel on board ships hold valid accredited certification to *Ships and Marine Technology — Guidelines for Private Maritime Security Companies providing privately contracted armed security personnel on board ships* (ISO 28007-1:2015), the objective of which is to improve sector-specific security and human rights, or meet applicable national requirements.

53. In line with its monitoring obligations, UNODC continued to support six-monthly visits by the International Monitoring Committee, an independent mechanism based on an agreement between UNODC and the Somali authorities, to prisons holding prisoners transferred under the Piracy Prisoner Transfer Programme to ensure that conditions remain secure and humane and that minimum detention standards are upheld, in accordance with international human rights law.

VII. Observations

54. I welcome the continuing decline in piracy off the coast of Somalia. This sustained trend is a tribute to extraordinary and innovative international cooperation to address a threat to our shared peace and security. I commend the Contact Group on Piracy off the Coast of Somalia and the international naval forces for their work. The continuing decrease in piracy is due in no small measure to their efforts, support and coordination.

55. I welcome the substantial gains made by Somalia and its efforts to develop and coordinate maritime governance mechanisms. I note with appreciation that the Somali coastguard took up its operational duty station at the entrance of Mogadishu seaport in October 2014, after 23 years. I also encourage the convening of the Maritime Security Coordination Committee at the earliest opportunity, which will bring all of the necessary parties together to establish Somali maritime governance and prioritize the maritime security forces. The United Nations stands ready to support the Federal Government of Somalia on this front.

56. The multinational forces' combined threat assessments suggest that — provided the collective response mechanisms are maintained — piracy will continue to be suppressed successfully off the coast of Somalia, even if the intent or capability are never entirely eliminated. In this regard, I note the key challenges highlighted by the Combined Maritime Forces, NATO and the European Union

Naval Force, which include the variable force flow of vessels, aircraft and personnel of the three multinational naval operations; weaknesses in the regional capacity for arrest, prosecution and detention of pirates; the root causes of piracy, such as a fragile economy, including high youth unemployment, linkages to illegal, unreported and unregulated fishing and weak governance structures; the need to strengthen regional and national capacity, including by addressing identified gaps; the unstable situation in Yemen, the implications of which are not yet fully understood but have the potential to profoundly affect the region; and the ongoing discussions on the transition of military operations beyond 2016.

57. I remain concerned that, without the continued support provided by the international naval presence and the self-protection measures adopted by the shipping industry, large-scale piracy may return. While capacity-building efforts ashore are under way, they have yet to produce lasting and sustainable effects. I call upon the international community to increase its support to Somali efforts in the areas of governance, the rule of law and economic development to tackle the root causes of piracy off the coast of Somalia. Although the Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia and its partners have been tackling some root causes, including livelihoods for at-risk young people, more needs to be done on a systematic and larger scale, in coordination with the Somali Compact.

58. In addition, I call upon the international community to cooperate in halting foreign illegal, unreported and unregulated fishing in the Somali exclusive economic zone through the sharing of information, the regulation of foreign fishing vessels, and support to the Somali authorities in developing a licensing regime for foreign vessels. This has the potential to generate much-needed revenue, which could be invested in tackling the root causes of piracy.

59. The importance of following a complete judicial process, which involves support to the region to carry out the arrest, detention, prosecution, trial and conviction of pirates in compliance with human rights, is crucial to breaking the "catch and release" cycle of impunity. To enable this, a clear legal framework governing maritime security must be in place throughout Somalia. In this regard, the commitments made by the Federal Government of Somalia, the interim regional administrations and the "Somaliland" authorities to enact appropriate legislation to enable governance and policing of the maritime domain are very welcome.

60. The international community should continue to support the efforts of the Somali authorities to prosecute and punish individuals suspected of piracy in compliance with international human rights law. Adherence to international human rights standards is fundamental in tackling not only maritime piracy but also larger threats to international peace and security. I welcome efforts by States to ensure that suspects are given a fair trial and that their conditions of imprisonment are humane and secure.

61. I also welcome Seychelles taking on a leadership role as the next Chair of the Contact Group on Piracy off the Coast of Somalia. I further welcome the initiative of Seychelles of commencing the first trial before the country's newly established court for piracy and maritime crime. Funding for the facility was obtained through an exemplary collaboration between UNODC, the Governments of the Netherlands and the United Kingdom and the Trust Fund.

62. In addition to efforts towards the prosecution and sentencing of pirates, it is important to coordinate international efforts that target the financing, money-laundering and support structures on which the piracy networks survive. It is therefore important to continue international support for the work of the law enforcement task force of the Contact Group on Piracy off the Coast of Somalia. It is also important that the Federal Government of Somalia implements international standards, including by becoming a State party to the United Nations Convention against Transnational Organized Crime, strengthening its law enforcement capacity, and enhancing collaboration with other countries, including on extradition agreements.

63. Pirate criminal enterprises are often also involved in other organized criminal activities, such as human trafficking and the drug trade. The Indian Ocean Forum on Maritime Crime, which involves more than 20 coastal States, from South Africa in the west to Australia in the east, is the type of regional body that is needed to tackle wider maritime criminality.

64. I applaud the continued programmatic support of stakeholders to regional organizations of Eastern and Southern Africa, including the Common Market for Eastern and Southern Africa, the East African Community, the Intergovernmental Authority on Development and the Indian Ocean Commission, to combat maritime crime in the Indian Ocean. Such support remains critical to strengthening the capacity of the region to respond to maritime crime.

65. I reiterate my call for the immediate and unconditional release of all innocent seafarers held hostage in Somalia so that they can be reunited with their families. I call upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure the immediate release of the hostages. Meanwhile, I encourage Governments, industry and humanitarian organizations to help to alleviate the suffering of piracy survivors and their families, including by contributing to the Piracy Survivor Family Fund of the Contact Group on Piracy off the Coast of Somalia.

66. The activities to support development, governance and the rule of law in Somalia are the final "hard laps" that must be run if we are to secure sustained victory against piracy. Only through such efforts can we reach the bedrock that will underpin the elimination of piracy as a threat, namely, a peaceful and stable Somalia. Sustained international cooperation and the support of naval forces must also continue to further suppress organized criminal networks that target merchant vessels. The United Nations remains committed to continuing its support to the efforts of the people and Federal Government of Somalia to eliminate the scourge of piracy.